

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51812 of 2025

Arising Out of PS. Case No.-265 Year-2022 Thana- BAISI District- Purnia

Abdul Rab @ Chhattu Hazi @ Rab S/o Late Khalik R/o Village- Tarabari,
P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ritwik Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-07-2025 Heard Mr. Ritwik Thakur, learned counsel for the petitioner and Mr. Gauri Shankar Gupta, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 15.04.2025 in connection with Baisi P.S. Case No. 265 of 2022, F.I.R. dated 29.06.2022 registered for the offence punishable under Sections 302, 120(B), 379, 34 of IPC.

3. According to prosecution case, all the accused persons including the petitioner have created a plan and at the time of Panchayati, they attacked on two persons by means of deadly weapons resulting into death of both the persons.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has



falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Although the petitioner is named in the FIR and there is allegation against the petitioner that he alongwith co-accused person, namely, Sayyad @ Md. Sayyad Hussain have assaulted to the informant by means of knife and sword and said co-accused person, namely, Sayyad @ Md. Sayyad Hussain has been granted bail by this Court vide order dated 17.07.2023 passed in Cr. Misc. No.22391 of 2023 and similarly situated, co-accused persons against whom there is specific allegation of assault, namely, Laltu @ Mojibur Rahman and Md. Aeja Anjum @ Ezaz Anjum have been granted bail by a co-ordinate Bench of this Court vide order dated 17.05.2023 passed in Cr. Misc. No. 1169 of 2023 and Cr. Misc. No. 3809 of 2023 respectively, co-accused, namely, Muddasir @ Md. Muddasir and Saukat @ Gulam Sarwar @ Gholam Sarwar have been granted bail by a co-ordinate Bench of this Court vide order dated 17.05.2023 passed in Cr. Misc. No. 3192 of 2023 and Cr. Misc. No. 5112 of 2023 respectively, co-accused, namely, Jahangir Ashram, has been granted bail by a co-ordinate Bench of this Court vide order dated 19.05.2023 passed in Cr. Misc. No. 19476 of 2023 and co-



accused, namely, Hasnain @ Md. Hasnain has been granted bail by this Court vide order dated 26.06.2023 passed in Cr. Misc. No. 6443 of 2023 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 15.04.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against the petitioner that he alongwith co-accused person, namely, Sayyad @ Md. Sayyad Hussain have assaulted to the informant and several similarly situated co-accused persons have been granted bail by this Court or by a Coordinate Bench of this Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 265 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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