

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53883 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- SUPAUL District- Supaul

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Md. Kalam S/O Late Md. Hasim Resident of village - Surtipatti, Ward No. 01,
Police Station - Supaul, District - Supaul (according to FIR). R/O Vill.-
Mahuaa Ward no. 9, Police Station - Supaul, District - Supaul (according to
I.O.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Ms.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Supaul P.S. Case No.66 of 2025 registered for the

offences punishable under Sections 310(4), 310(5) of the

Bhartiya Nyaya Sanhita (for short 'B.N.S.') as well as

Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. The accused/petitioner is named in the FIR and is

in custody since 11.02.2025.

4. Allegation against the petitioner is to involve in

preparation for dacoity along with other co-accused persons.

5. It is submitted by learned counsel appearing for



petitioner that petitioner is an auto driver and upon search, the only mobile phone was recovered from the possession of this petitioner, which was his personal mobile and mere with this recovery, it cannot be said that the petitioner was involved in preparation for dacoity. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid facts and circumstances and by taking note of fact as *prima facie* nothing incriminating appears recovered from the possession of this petitioner, which may suggest that the petitioner was involved in preparation of dacoity, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 11.02.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Supaul in connection with Supaul P.S.
Case No.66 of 2025, subject to the conditions as laid down
under Section 437(3) of the Code of Criminal Procedure (for
short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik
Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J)

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