

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55182 of 2025**

Arising Out of PS. Case No.-69 Year-2018 Thana- POTHIYA District- Kishanganj

Md Shahid Alam Aged about 35 years Male, Son of Md. Farat Ali, resident of Village- Dangapara, P.S- Pothia, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      27-08-2025                      Heard Mr. Ram Prawesh Kumar, learned counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar Tiwary, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Pothia P.S. Case No. 69 of 2018, registered for the offence punishable under Sections 447, 147, 148, 149, 386, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner along with other accused persons, had committed theft of tea leaves amounting to rupees fifty to sixty thousand, from the tea garden of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in



the FIR so there was no apprehension of being arrested. Name of the petitioner has transpired in course of investigation. Other co-accused namely, Ram Lal Soren has been granted bail by a co-ordinate Bench of this Court vide order dated 25.01.2019 passed in Cr. Misc. No. 3898 of 2019. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that petitioner is not named in the FIR so there was no apprehension of being arrested. Name of the petitioner has transpired in course of investigation. Other co-accused namely, Ram Lal Soren has been granted bail by a co-ordinate Bench of this Court vide order dated 25.01.2019 passed in Cr. Misc. No. 3898 of 2019. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Kishanganj, in connection with Pothia P.S. Case No. 69 of 2018, subject to the condition as laid down under Section 482(2) of the BNSS.

**8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

**(Purnendu Singh, J)**

Niraj/-

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