

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64827 of 2025

Arising Out of PS. Case No.-53 Year-2020 Thana- KHAIRA District- Saran

Hira Ram, Son of Bharat Ram, resident of Village-Patti Pachaurar, P.S-
Taraiya, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-09-2025 As prayed, learned counsel for the petitioner is permitted to make necessary correction in paragraph 4 of the bail petition.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 459/2021 arising out of Khaira (Nagra) P.S. Case No. 53 of 2020, registered for the alleged offences under Sections 399, 511 of the Indian Penal Code and Sections 25 (1-B)a, 26 & 35 of the Arms Act.

4. As per prosecution case, during night patrolling, police received an information about 6-7 persons making plan for commission of serious offence. A raid was conducted and co-accused Pankaj Kumar was apprehended and from the



possession of the co-accused, recovery of a country made *katta* and a live cartridge was made. The apprehended co-accused Pankaj Kumar named the petitioner and other co-accused persons, who fled away on seeing the police party.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of this petitioner. The name of the petitioner transpired in the confessional statement of co-accused, but the said statement has no legal sanctity. Except for the confessional statement, there is no material against the petitioner to show his complicity in making any plan for commission of *dacoity*. The co-accused Abhishek Rai has been granted bail by a Coordinate Bench of this Court vide order dated 04.05.2023 passed in Cr. Misc. No.10988 of 2023 and the case of the petitioner is similarly placed. The petitioner is having antecedent of four cases and in two such cases, he has been acquitted and in another two cases, he is on bail. The petitioner has been remanded in this case on 04.09.2020 and charge sheet has been submitted.

6. Learned A.P.P. opposes the submission made on behalf of the petitioner.



7. Having regard to the facts and circumstances and submissions made hereinabove and considering the period of custody of the petitioner and submission of charge sheet, the petitioner is directed to 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 4th Additional Sessions Judge, Saran at Chapra/court concerned, in connection with Sessions Trial No. 459/2021 arising out of Khaira (Nagra) Case No. 53 of 2020, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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