

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69292 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- VIJAYEPUR District- Gopalganj

Gabbu Miyan @ Ashique Ali @ Gabu Miya @ Ashik Ali @ Gabbu Miya
Pappu Miya @ Ahasanul Miyan R/o Village - Rakba, P.S. - Bhore, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Vijayipur (Vijaypur) P.S. Case No. 252 of 2024 instituted for the
offence under Section 309(4) of the Bharatiya Nyaya Sanhita,
2023.

3. As per the prosecution case, on 14.11.2024 at about
6:00 P.M., while the informant was returning home from his
shop near Nandpur–Sitapatti, four unknown persons intercepted
him, threatened him, and looted his motorcycle, mobile phone,
purse containing ID cards, ATM card, and Rs.1500/- in cash.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 12.02.2025. Petitioner



bears seven criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of his self-confessional statement recorded in connection with Vijayipur PS Case No. 276 of 2024 and the same has no evidentiary value in the eye of law. There is no material against the petitioner except his confessional statement. There is no recovery from the possession of the petitioner. Other co-accused has been granted bail by this Court vide order dated 15-05-2025, passed in Cr. Misc. No. 31600 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned Court in connection with Vijayipur (Vijaypur) P.S. Case No. 252 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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