

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65846 of 2025**

Arising Out of PS. Case No.-285 Year-2025 Thana- BETTIAH CITY District- West
Champaran

Saklain Mustak @ Saklain S/O Mustakim Resident of Village- Ahirauli, P.S-
Kasaya, Distt.- Kushinagar (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 17-09-2025 Heard Mr. Ajay Kumar Tiwary, learned counsel for the
petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Bettiah
P.S. Case No. 285 of 2025 instituted for the offence under
Section 309(6) of the Bharatiya Nyaya Sanhita, 2023.

3. The informant alleged that on 06.06.2005, after
withdrawing Rs. 25,000/- from SBI, he was returning home by
tempo. Near ‘Bhulu Medical Store’, three men in a white car
forcibly abducted him and took him towards Mannar Pool. They
snatched the withdrawn amount and later pushed him out of the
vehicle before fleeing towards *Bagh*.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-06-2025. Petitioner



bears nine 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 during investigation. Nothing has been recovered from the conscious possession of the petitioner. Petitioner was not even put on T.I. Parade. Learned counsel for the petitioner resorted to the plea of *alibi* as he was not present at the time of occurrence.

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 and manner of petitioner's implication, 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 Bettiah P.S. Case No. 285 of 2025, 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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