

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74071 of 2025

Arising Out of PS. Case No.-409 Year-2021 Thana- BANKA District- Banka

Md. Babar @ Md. Bablu, Male, aged about 48 years, S/o- Md. Shamsad, R/v-
Kharihara, P.S.- Barahat, Dist- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party : Mr. Ram Priya Sharan Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T. No. 327 of 2025, arising out of Banka P.S. Case No. 409 of 2021 dated 25.05.2021 registered for the offences punishable under Sections 395, 397, 412 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3/4 of the Explosive Substances Act.

3. As per the prosecution case, 5-6 unknown persons came and knocked the door of the informant's cash counter and when the informant had not opened the door, the miscreants hurled bomb, due to which, the door opened. It is further alleged that the miscreants looted Rs. 10 lakhs from the cash counter. It is further alleged that the miscreants started firing,



due to which, the informant sustained gun injury in his right elbow.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has falsely been implicated in the present case during the course of investigation on the basis of the confessional statement of the co-accused Shahrukh. It is further submitted that except the confessional statement of the co-accused Shahrukh, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has no concern either with the alleged offence or with the other co-accused persons who have committed the alleged offence. The petitioner was not arrested on the spot. No incriminating article has been recovered from the possession of the petitioner. The petitioner has also not been put on T.I. Parade. The petitioner is the bread earner of his family and he has been residing in Mumbai for his livelihood and he was quite unaware regarding his implication in the present case and when he came to his native place, police arrested him and sent to jail. The charges have been framed in the present case against the petitioner. It is further submitted that the other co-accused persons, namely, Md. Shahrukh in Cr.



Misc. No. 2584 of 2022 vide order dated 10.10.2022, Md. Kausar in Cr. Misc. No. 2056 of 2022 vide order dated 10.10.2022 and Tanjoor @ Md. Tanjoor @ Motioor @ Md. Tanjorr have already been granted bail by the different Co-ordinate Benches of this Court, annexed as Annexure-P/2 series to the present bail application. The other co-accused Md. Tarannum has also been granted bail by a Bench of this Court in Cr. Misc. No. 37296 2025 vide order dated 24.06.2025. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 13.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-II, Banka, in connection with S.T. No. 327 of 2025, arising out of Banka P.S. Case No. 409 of 2021, with further condition:

(I) The petitioner is directed to remain



physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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