

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75068 of 2025

Arising Out of PS. Case No.-429 Year-2024 Thana- KALYANPUR District- East Champaran

Lal Saheb Son of Umesh Ray @ Umesh Ray Resident of village- Ganesh
Sirsiya, P.S.- Chakiya, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar Resident of village Ganesh Sirsiya PS Chakiya District
East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjana Srivastava, Adv

For the Opposite Party/s : Mr.Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Kalyanpur P.S Case No. 429 of 2024 registered for the offences
punishable under Sections 127(1), 127(2), 115(2), 303(2),
318(4), 3(5) of the BNS

3. As per allegation in the FIR, informant's vehicle
bearing Registration No. JH05M-4150 was taken on rent by 3-4
unknown passenger.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner is not named in the FIR and his name has



been transpired in the present case during the investigation. He further submits that no TIP has been conducted till now. It is further submitted that alleged recovery has been made from the co-accused namely Subhash Rai who has already been granted bail vide order dated 12.08.2025 in Cr. Misc. No. 54635 of 2025. He further submits that charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. It is also submitted that petitioner is in judicial custody since 22.05.2025 having two antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 28.08.2025, it appears that petitioner is not named in the FIR and the alleged recovery has been made from the co-accused namely Subhash Rai and not from the petitioner's possession and till date Officials have not conducted, considering all aspects of the matter, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-12 East Champaran at Motihari in connection with Kalyanpur P.S. Case No. 429 of 2024 subject to the following condition:



- One of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;
- The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself.
- The petitioner if tried to tamper any evidence or the witnesses in this case, the prosecution will be at liberty to take steps for cancellation of his bail bonds.

(Ramesh Chand Malviya, J)

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