

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88669 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- SAHARSA RAIL P.S District- Khagaria

1. Rahul Kumar Son of Guddu Mukhiya Resident of D.B. Road Paswan Tola, Koyla Patti, P.S. - Saharsa, District - Saharsa
2. Bishal Kumar @ Billa @ Bill Son of Guddu Mukhiya Resident of D.B. Road Paswan Tola, Koyla Patti, P.S. - Saharsa, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-02-2025 Heard learned counsel for the petitioners and Ms. Rita Verma, learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 394, 307 of the Indian Penal Code.

3. The case of the prosecution is that the informant was on official duty and after his duty he went to his house and on the way to his home, he saw two persons sitting near the Railway track. When the informant reached near the said two persons, both persons came to him and one of them pointed a knife on the informant and started physically frisking, checked the pocket and bag of the informant which was protested by



him. During which one of the accused person caught hold the informant and other started to assault the informant with knife causing him serious injuries. Both persons robbed the informant to the extent of Rs. 25,000/-, mobile phone, golden chain, ATM Card, Aadhar Card, Pan Card etc. and flee away towards North side. The FIR was lodged against unknown miscreants.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. During investigation, spy has given information. On the information of spy, petitioners were apprehended and have given their confessional statement. On the basis of their confessional statement, recovery was also made of a mobile and other articles but no TIP was conducted regarding articles or person. Since the FIR was lodged against unknown miscreants, TIP was essential. It is further submitted that the petitioners are languishing in judicial custody since 30.09.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named



petitioners are directed to be released on bail in connection with
Saharsa Rail P.S. Case No. 30 of 2024 on furnishing bail bond
of Rs.10,000/- (ten thousand) each with two sureties of the like
amount each to the satisfaction of learned Court of Rail Judicial
Magistrate, Khagaria.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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