

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2844 of 2026

Arising Out of PS. Case No.-94 Year-2023 Thana- KOTWA District- East Champaran

Tauseer Alam @ Chunnu @ Takbeer Alam Son of Jiyaul Haque Resident of
village - Govindapur, P.S.- Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-01-2026 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Mr.Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
03.11.2025 in connection with Kotwa P.S. Case No.94/2023,
dated 11.03.2023 registered for the offences punishable under
Sections 395,412 of IPC.

3. As per the prosecution case, in brief, is that the
informant alleged that while he was moving on a pick-up van
loaded with chicken worth Rs. 2,33,301/-, a Bolero vehicle over
took him, 8-10 persons came out, abused him and started
breaking door of his pick-up van and committed mar-pit with
him. The informant further alleged that he identified some
miscreants who belonged to his Nanihal. During course of mar-



pit miscreants snatched Rs. 70,000/-, wrist watch and mobile phone. All the accused persons including the petitioner assaulted the informant with sharp cutting weapon causing injuries in his head, chest and abdomen. He further alleged that the accused persons looted away the pick-up van and on the basis of GPS system present in the pick-up van, it was found that the same is being unloaded at the house of Aliyas and Naseem.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated. Although the petitioner is named in the FIR but it appears from the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner and similarly situated co-accused person, namely, Afsaar Khan has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 25.08.2023 passed in Cr. Misc. No.54991 of 2023 and co-accused persons, namely, Ram Pravesh Kumar and Junaid @ Junaid Alam have been granted bail by this Court vide orders dated 21.09.2023 and 25.04.2025 passed in Cr. Misc. No.61681 of 2023 and 27139 of 2025 respectively and the petitioner is in custody since 03.11.2025.

5. Learned A.P.P. for the State, on the other hand, has



vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner and several co-accused persons have been granted bail by a Coordinate Bench of this Hon'ble Court or by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Kotwa P.S. Case No.94/2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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