

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16636 of 2026

Arising Out of PS. Case No.-13 Year-2025 Thana- Akbarpur District- Purnia

Md. Kaiyum@ Md. Karnum S/O Md. Murtaza R/O village - Lauwa Lagan,
P.S - Chousa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-03-2026 Heard Mr. Bijendra Kumar Singh, learned counsel
for the petitioner as well as Ms. Dr. Indihar Kumari, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.03.2025 in connection with Akbarpur P.S. Case No. 13 of
2025, F.I.R. dated 03.02.2025 for the offences punishable under
Sections 309(4) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, it is alleged that on
03.02.2025 a person wearing helmet with covered face armed
with gun, came to informant's CSP enter and threatened him to
kill and demanded money. Informant gave Rs.80,000/- to the
miscreant and then the miscreant fled away.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The petitioner is not named in the FIR and his



name transpired during investigation on the basis of secret information and nothing has been recovered from the conscious possession of the petitioner. He next submits that petitioner has been remanded in this case on 04.03.2025 from Chousa P.S. Case No.184 of 2024 and till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner on 17.04.2025 and the petitioner is in custody since 04.03.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioners carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner is not named in the FIR and his name transpired during investigation on the basis of secret information and till date no TIP has been conducted and period of custody, 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 the



learned Additional Chief Judicial Magistrate-1st, Purnea in connection with Akbarpur P.S. Case No. 13 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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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