

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37348 of 2026

Arising Out of PS. Case No.-140 Year-2021 Thana- AMARPUR District- Banka

Md. Talim @ Md. Taslim S/O Karu Miyan @ Md. Karim R/O Village-
Amarpur, P.S.- Amarpur, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Dhananjay Kumar Pandey, learned
counsel for the petitioner and Mr. Umeshanand Pandit, the
learned A.P.P. for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in paragraph-1 of the bail petition.

3. The petitioner seeks bail, who is in custody since
24.05.2025 in connection with Amarpur P.S. Case No. 140 of
2021, F.I.R. dated 19.03.2021 registered for the offence
punishable under Sections 25(1-b)A, 26, 35 of the Arms Act.

4. The prosecution case, in brief is that police on
receiving secret information that seven to eight miscreants
were extorting money from the truck driver at gun point had
reached with its team at the spot two of the miscreants were



apprehended by the police and rest succeed to flee away. It is alleged that apprehended accused disclosed his name Md. Irsad and Vishal Kumar.

5. Learned counsel appearing for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Md. Irshad and Vishal Kumar who were apprehended on the spot. As per allegation in the FIR, the petitioner was escaped from the place of occurrence. The recovery of arms has been made from possession of co-accused person, namely, Md. Ismail has been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 04.01.2022 passed in Cr. Misc. No. 38722 of 2021 and several co-accused persons have also been granted bail by different Co-ordinate Benches of this Hon'ble Court and the police, after investigation, submitted charge-sheet against the petitioner and the petitioner is in custody since 24.05.2025.

6. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries



two more cases other than the present one but he fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

7. Considering the aforesaid fact, 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 Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 140 of 2021, 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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