IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62156 of 2026

CNR No. BRHC010892602026

Arising Out of PS. Case No.-253 Year-2026 Thana- HARSIDHI District- East Champaran

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Salman Alam S/o Israil Rai @ Israyal Ray Resident of village - Bahadurpur Khajuriya, P.s.- Govindganj, Distt.- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 05-11-2026 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Harsidhi P.S. Case No. 253 of 2026, instituted for the offences punishable under Sections 304, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later on added Sections 309(4) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that on 11.05.2026 at about 10:00 P.M., while the informant was returning home after covering a wedding ceremony, 3–4 unknown persons allegedly intercepted him near Damobriti Nahar Bridge and

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looted his cameras, two mobile phones, ₹12,000/-, a gold Hanuman pendant and his motorcycle before fleeing towards Sangrampur.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person, namely, Vishal Kumar and the same has got no evidentiary value. It is next submitted that no any looted article has been recovered from the possession of the petitioner. It is further submitted that as per allegation, one black coloured Apache motorcycle, which was used in the alleged crime has been recovered from the joint possession of the petitioner and co-accused, namely, Sunny, but according to the FIR, white coloured Apache motorcycle without registration was used in the robbery. The petitioner is in custody since 16.05.2026 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed,*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harsidhi P.S. Case No. 253 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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