

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72315 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

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Md. Sidhiki Son of Late Mohdat @ Late Gulam Mohammad Resident of
village - Khariyara, P.S.- Barahat, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 10-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 61 (2), 112, 307, 305 (a), 313 of
B.N.S and section 66 of Information and Technology Act.

3. As per the prosecution case, the informant along with
his family was returning home from train. When the train reached
near Sabour, Bhagalpur, some unknown miscreants forcibly entered
Coach No. S-3 and attempted to snatch a bag belonging to the
informant's daughter. The said bag contained cash amounting to Rs.
3,000/-, a mobile phone (Realme C15) with JIO SIM No.
9931959581, and certain important documents. While attempting to
resist and chase the miscreant, the victim, Kajal Kumari, was pushed
near the gate of the running train, due to which she fell down and



sustained grievous injuries and during the course of treatment she died.

4. Learned counsel for the petitioner submits that the F.I.R. was lodged against unknown persons and the name of the petitioner transpired, subsequently, during the course of investigation on the basis of confessional statement of co-accused Aman Kumar. It is further submitted that besides the confessional statement, there is no other cogent material collected against the petitioner during the course of investigation. Further, it has been submitted that petitioner is languishing in custody since 27.04.2025 and after commitment of the case to the Court of Session, charges have also been framed. It has also been submitted that similarly situated two co-accused persons namely Md. Filtar and Md. Sinku have already been granted bail by co-ordinate Benches of this Court vide order dated 05.01.2026 and 06.01.2026 passed in Cr. Misc. No. 71947 of 2025 and Cr. Misc. No. 71942 of 2025 respectively.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that there is no other material but confession before police which has no evidentiary value in the eyes of law, coupled with the fact that similarly situated co-accused persons have already been granted bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with S.T. No. 780 of 2025 arising out of Bhagalpur G.R.P.S Case No. 79 of 2025, subject to conditions that

(I) One of the bailors will be a close relative/family members of the petitioner.

(II) The petitioner will remain present on each and every date fixed by the learned Court below, if so required by the learned Trial Court and on non-appearance of the petitioner on two consecutive dates without sufficient reasons, the learned Trial Court would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

vashudha/-

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