

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82432 of 2025

Arising Out of PS. Case No.-397 Year-2025 Thana- BAIRIYA District- West Champaran

Kanhaiya Raut S/O Late Manbahali Raut R/O Vill.- Ojhawaliya, P.s- Bairiya,
District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr.Bimlesh Kumar Pandey, 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
12.09.2025 in connection with Bairiya P.S. Case No. 397 of
2025, F.I.R. dated 07.09.2025 registered for the offence
punishable under Sections 103(1),238,3(5) of BNS.

3. The FIR of the occurrence of murder is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent. Petitioner is not named in the
FIR. The name of the petitioner has been transpired during
investigation on the basis of the secret information. Thereafter,
the petitioner has confessed his guilt in the present occurrence



and no one has seen the occurrence and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 12.09.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of suspicion, 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 Judicial Magistrate-1st Class, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 397 of 2025, 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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