

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82817 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- ADHAOURA District- Kaimur (Bhabua)

1. Irfan Rahmani S/O Jaharuddin Rahmani Resident of village- Kone, P.S.- Kone, District- Sonbhadra, U.P.
2. Rahul Bari S/O Raj Kishor Bari Resident of village- Kone, P.S.- Kone, District- Sonbhadra, U.P.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr.Rajani Kant Pandey, learned counsel
for the petitioners and Mr.Sanjay Kumar Tiwary, learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail, who are in custody since 14.08.2025 in connection with Adhaura P.S. Case No. 71 of 2025, F.I.R. dated 07.08.2025 registered for the offence punishable under Sections 137(2)/307/3(5) of BNS, 2023.

3. According to prosecution case, allegation against the petitioners is that they alongwith other co-accused persons have kidnapped and murdered the cousin brother of the informant (deceased) and taken away 200



sheeps.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent. Petitioners are not named in the FIR. The name of the petitioners has been transpired during investigation on the basis of the self-confessional statement of the petitioners and except the self-confessional statement of the petitioners, no other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and petitioners have been made accused in the present case merely on the ground that they are driving the vehicle in question and recovery has been made from possession of Abej Mohammad Khan. The police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 14.08.2025.

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

6. Considering the aforesaid facts, petitioners are not named in the FIR, nothing has been recovered from possession of the petitioners, except the self-confessional



statement of the petitioners, no other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and even no one has seen the alleged occurrence, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Adhaura P.S. Case No. 71 of 2025, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in



case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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