

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19971 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- BARAUNI District- Begusarai

Raja @ Md. Niyaz Ali @ Neyaz Ali @ Md. Neyaz Ali S/O Md. Faruk Akhatar @ Md. Farukh @ Md. Farque Akhtar R/O Village- Pokharia, (Nawab Chowk), Nawab Chwok, Ward No. 35, P.S- Town, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Barauni P.S. Case No. 23 of 2025 registered for the alleged offences under Sections 334(1), 303(2) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, a theft was committed in a jewellery shop and during investigation, the name of the petitioner transpired as one of the thieves.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner whose name came up in this case



on the basis of confessional statement of co-accused, Md. Firdaus. Recovery of two gold earrings have been made from this co-accused, Md. Firdaus, who has been granted bail by a Co-ordinate Bench vide order dated 29.04.2025 passed in Criminal Misc. No. 22792 of 2025. The case of the petitioners stands at better footing. The petitioner is in custody since 09.02.2025 and charge-sheet has been submitted. The petitioner is having antecedent of one case and he is on bail in that case.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of bail to similarly placed co-accused and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 23 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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