

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20804 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- Telta District- Katihar

Najir Alam @ Md Najir Alam Son of Md Sabbir R/o- Kaswatoli, P.S.- Balia
Belone, Dist- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Ziaul Quamar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Telta
P.S. Case No. 63 of 2024, instituted for the offences punishable
under Sections 303(2) and 317(2) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioner
committed theft at the house of the informant at night and was
caught by the villagers. It is further alleged that mobile phones
and jewellery items have been recovered from the possession of
the petitioner.

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 was a passerby of that way and on the basis of suspicion he was apprehended by the villagers and later on handed over to the police. It is further submitted that no incriminating article has been recovered from the possession of the petitioner and has got no concern with the alleged recovered articles. The petitioner is in custody since 11.11.2024 and has got two criminal antecedents in which he is on bail.

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

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Telta P.S. Case No. 63 of 2024.

(Rudra Prakash Mishra, J)

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