

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29181 of 2025**

Arising Out of PS. Case No.-121 Year-2024 Thana- KANTI District- Muzaffarpur

Md. Nasim S/o- Md. Aslam Ansari @ Asalam Ansari Resident of Village-  
Maheshpur Tipri PS- Piya District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

ORAL ORDER

2      30-04-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Sessions Trial No. 128/2025/129/2025 arising out of Kanti P.S.  
Case No. 121 of 2024 instituted for the offences under Sections  
397, 398 of the Indian Penal Code and Section 27 of the Arms  
Act.

3. Prosecution case, in short, is that five unknown  
miscreants entered the bank and fired upon the leg of the guard,  
whereafter they fled away with rifle and cartridges from the  
guard.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of disclosure made by co-accused person. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted articles. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.07.2024 and has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by this Court vide order dated 24.01.2025 passed in Cr. Misc. No. 4560 of 2025.

5. Learned A.P.P. 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, claim based on parity as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in



connection with Sessions Trial No. 128/2025/129/2025 arising out of Kanti P.S. Case No. 121 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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