

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32174 of 2025

Arising Out of PS. Case No.-185 Year-2024 Thana- MEHANDIGANJ District- Patna

Md. Fardeen S/O Md. Nausad Resident of Village- Dundi Bazar, P.S- Chowk,
District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Jai Kishore Sharma, Advocate
For the State	:	Mr.Sanjay Kumar Tiwary, APP
For the Informant	:	Mr.Ranjeet Patel, Advocate
		Mr.Shivendra Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 09-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State duly assisted by

Mr. Shivendra Kumar Sinha, learned counsel appearing for

the informant.

2. The accused/petitioner seeks bail in connection

with Mehandiganj P.S. Case No. 185 of 2024 registered for

the offences under Sections 309(4), 310(2) of the Bhartiya

Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is not named in the First

Information Report and is in custody since 20.01.2025.

4. As per FIR, six unknown miscreants entered

forcefully in the house of the informant and after confining



the informant and his daughter-in-law in a room looted the household articles, jewelries along with cash of Rs. 1.5 Lakhs.

5. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner was identified from the CCTV footage installed near to the house where alleged occurrence took place. The petitioner being accused was identified by police spy. It is pointed out that aforesaid CCTV footage was never shown to the informant as to identify the accused-petitioner.

6. It is also submitted that having all occasion to identify the petitioner being accused, no Test Identification Parade (in short the 'TIP') was conducted as yet. It is submitted that during course of investigation, no incriminating material recovered from conscious possession of the petitioner as to connect him *prima facie* with the present occurrence of dacoity.

7. While concluding argument, it is submitted that investigation of this case is already completed and as such, there is no chance of tampering with the evidence and, moreover, petitioner is a man of clean antecedent.



8. Learned A.P.P. for the State duly assisted by Mr. Shivendra Kumar Sinha, learned counsel appearing for the informant, while opposing the prayer for bail of the petitioner, submitted that still the matter is pending for investigation as the FSL report *qua* fingerprint of accused is still awaited, however, conceded that during investigation, the alleged CCTV footage, where petitioner was stated to be seen, was not shown to the informant.

9. In view of aforesaid factual submission and by taking note of the fact as merely on the basis of suspicion as raised by police spy, this petitioner was implicated with the present occurrence of dacoity, who is a man of clean antecedent, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 20.01.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Patna City, Patna/concerned court, in connection with Mehandiganj P.S. Case No. 185 of



2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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