

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36114 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- Patarghat District- Saharsa

Md. Naushad Alam @ Naushad Alam S/o Alabul Alam Village- Laxmipur
Paarghat Millat Nagar, Ward No. 11, PS- Patarghat, Distt.- Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Patarghat P.S. Case No. 202 of 2024 dated 22.10.2024, instituted for the offence punishable under Sections 309(6), 317(2), 317(4), 317(5) of the B.N.S., 2023.

3. The prosecution case, in short, is that on 17.10.2024, when informant and his family members were returning home after having dinner in e-rickshaw at around 11.30 pm, two unknown persons stopped him at Jamhara Pool, they snatched Rs. 22000/- from his mother and Rs. 900/- from his pocket along with a mobile. When the informant opposed, he was attacked by the butt of the pistol. It is further alleged that both the miscreants came on motorcycle bearing Reg. No.



BR43AB3004 and run towards Jamahara.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that F.I.R. has been lodged against two unknown person. It is further stated that on the alleged date of occurrence, the motorcycle which was used in the alleged crime was taken by one Gulam Rasool from the wife of the petitioner to go to hospital. The said motorcycle bearing Registration No. BR 43 AB 3004 belongs to the wife of the petitioner. Nothing has been recovered either from the conscious possession or from the house of the petitioner. It is next submitted that the occurrence took place on 17.10.2024 but the F.I.R. has been lodged on 22.10.2024 i.e. after a delay of 5 days without any plausible explanation. Further submission is that no T.I.P. has been conducted till date. Lastly, it has been submitted that the petitioner is in custody since 11.12.2024, he has one criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let



the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV, Saharsa in Patarghat P.S. Case No. 202 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly



to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

Sankalp/-

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