

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37244 of 2025

Arising Out of PS. Case No.-274 Year-2023 Thana- KADWA District- Katihar

Md. Anish S/O Badiuzzama Resident of Village- Kanhariya, P.S- Dagarua,
District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and Ms. Renu
Kumar, learned APP for the State.

2. The petitioner seeks bail in connection with Kadwa
P.S. case No. 274 of 2023 instituted for the offences under
Sections 379, 461 and later on added Sections 411, 413, 414/34
of the Indian Penal Code.

3. Prosecution case, in short, is that some unknown
thieves have stolen Dell Laptop and cash amounting to rupees
twenty thousand in cash from the shop of the informant. It is
further alleged that the thieves also stole articles amounting to
rupees fifty thousand from the nearby grocery shop.

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 confessional statement of the co-accused and, later on, he was arrested but, the petitioner has not been put to Test Identification Prade as yet. 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 stolen articles. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.01.2025 but, remanded in the present case on 17.02.2025 and has three criminal antecedents in which he is on bail.

5. He further submits that the co-accused Md. Chunna and Md. Naushad have already been granted bail by this Court vide orders dated 30.04.2024 and 02.08.2024 passed in Cr. Misc. No. 29386 of 2024 and 55135 of 2024 respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Kadwa P.S. case No. 274 of 2023, 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)

rishi/-

U		T	
---	--	---	--

