

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42255 of 2025

Arising Out of PS. Case No.-641 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Md. Jamshed Son of Md. Qureshi Resident of Mohalla- Karim Chak Khanua,
PS- Chhapra Town, District- Saran At Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

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

ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwan Bazar P.S. Case No. 641 of 2024 instituted for the
offences under Sections 305, 331(4) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, four miscreants have
committed theft of jewelries and valuable goods in the house of
the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioners are not named in the F.I.R. He further submits



that the petitioner was arrested in Chhapra Town P.S. Case No. 753 of 2024 and, on the basis of confessional statement so given in that case, he has been made accused in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has altogether eleven (11) criminal antecedents and is languishing in judicial custody since 18.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner has eleven criminal antecedents of similar nature of offences and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Bhagwan Bazar P.S. Case No. 641 of 2024, subject to the following conditions;



(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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