

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47431 of 2025**

Arising Out of PS. Case No.-319 Year-2025 Thana- SIKARPUR District- West Champaran

Nasif Alam @ Nasir Alam S/o Daroga Miyan Resident of village - Majdahiya  
(Maldahiya), Pokhariya, ward no. 10, P.s.- Shikarpur, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sharad Kumar Verma, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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

ORAL ORDER

3      03-09-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Shikarpur P.S. Case No. 319 of 2025 instituted for the offence under Sections 304, 317(2), 317(4) & 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3.      The informant, a school teacher, reported that his mobile was snatched by two unknown bikers on 08.03.2025 at Dhum Nagar Chowk. Later, he discovered that Rs. 1,14,000/- was fraudulently withdrawn from his *PhonePe* account between 08.03.2025 and 10.03.2025.

4.      It has been submitted on behalf of the petitioner that the petitioner is in custody since 21-03-2025. Petitioner



bears two criminal antecedents and in both of them he is on bail, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR and his name has surfaced in this case in course of investigation on the basis of his criminal antecedents. He further submits that actually a raid was conducted at the house of the petitioner and the petitioner was apprehended and, on search of his house, a Super Splendor Plus motorcycle and Rs. 51,500/- were recovered and his confessional statement was recorded under duress which has no evidentiary value in the eye of law. From the confessional statement of the petitioner, it appears that the alleged mobile was being used by the co-accused Nandu Kumar and, on the basis of the above evidence, charge-sheet was submitted. The alleged motorcycle does not belong to the petitioner. He further submits that the co-accused Nandu Kumar has already been granted bail by this Court vide order dated 28.07.2025 passed in Cr. Misc. No. 46108 of 2025.

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



the SIM which was used in the alleged mobile belongs to the petitioner. The petitioner has also confessed his guilt and, hence, he does not deserve bail.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of petitioner’s implication, 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 Shikarpur P.S. Case No. 319 of 2025.

**(Rudra Prakash Mishra, J)**

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