

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50689 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- PAKARIBARAW District- Nawada

Md. Raza @ Razzak @ Md. Raja @ Razak S/o- Mujib Rahman Village-
Gewal Bigha P.S.- Rampur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manish Kumar No.2, Advocate
	Mr. Aryan Singh, Advocate
	Mr. Ravi Kumar, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Manish Kumar No.2, learned counsel
for the petitioner and Mr. Sanjay Kumar Sharma, learned APP
for the State.

2. Petitioner seeks regular bail in connection with
Pakribarawan P.S. Case No. 36 of 2025 dated 25.01.2025
registered for the offences punishable under Sections 305 and
331(4) of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to theft of ornaments
from the jewellery shop of the informant, the FIR has been
registered against unknown, the petitioner has been made
accused during investigation mainly on the basis of the
confessional statement of the co-accused, Khesari, who was
arrested in connection with Imamganj P.S. Case No. 69 of 2025



and only on that basis, the petitioner was remanded in the present matter from Hisua P.S. Case No. 30 of 2025 on 30.04.2025 and thereafter, the police failed to recover any part of the stolen ornaments and the investigation has been completed against this petitioner. It is further submitted that the petitioner has been chargesheeted mainly on the basis of his and the co-accused person's confessional statements recorded before the police which has no evidentiary value.

4. Though learned APP opposed the bail prayer of the petitioner but fairly accepted that against this petitioner, there are only his and the co-accused person's confessional statements.

5. Heard both the sides and perused the relevant materials. Though, the instant matter relates to theft of ornaments worth Rs. 6,30,000/- (rupees six lakh and thirty thousand) and cash of Rs. 15,000/- from the jewellery shop of the informant but in respect of the petitioner's involvement in the alleged theft, the prosecution is mainly relying upon the petitioner's confessional statement recorded before the police as well as the confessional statement of co-accused recorded before the police, except this, there is no material against this petitioner and only on that basis, the petitioner has been



chargesheeted, so, considering these facts, it will not be proper to keep the petitioner behind the bars mainly on the basis of the said confessional statements. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Pakribarawan P.S. Case No. 36 of 2025.

(Shailendra Singh, J)

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