

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48748 of 2025**

Arising Out of PS. Case No.-617 Year-2024 Thana- GAYA KOTWALI District- Gaya

Md. Sikandar S/o Md. Nazim @ Md. Islam @ Najim Aslam Resident of  
village- Nizam Colony, P.S.- Gaya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      25-07-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the  
offences under Sections 334(1) and 305 of B.N.S.

3. As per the prosecution case, some unknown  
miscreants are alleged to have committed theft in the shop of the  
informant and took away some documents along with cash  
amount of Rs. 15,00,000/-.

4. Learned counsel for the petitioner submits that  
petitioner is not named in the FIR and his name has surfaced on  
the confessional statement of the co-accused Md. Imtiyaz.  
Learned counsel further submits that no incriminating article  
has been recovered from the conscious possession of the  
petitioner. Learned counsel next submits that similarly situated



accused person namely Sahid Ahmad has been granted bail by this Court vide order dated 26.05.2025 passed in Cr. Misc. No. 34918/2025. It is lastly submitted that the petitioner has nine criminal antecedents and is in custody since 22.01.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account that fact that the petitioner is not named in the FIR and no incriminating article has been recovered from his conscious possession coupled with the fact that the petitioner is in custody since 22.01.2025, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaya Kotwali P.S. Case No. 617/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or



in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

**(Sourendra Pandey, J)**

tusharika/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

