

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50491 of 2025**

Arising Out of PS. Case No.-226 Year-2019 Thana- BAHADURGANJ District- Kishanganj

Md. Mahfooz @ Mahphuz Son of Baharuddin Resident of Village- Pechaili  
Ward No. 02, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-08-2025                      Heard Mr. Amal Kumar Sinha, learned counsel  
appearing on behalf of the petitioner and Mr. Mritunjay Kumar  
Nirala, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Bahadurganj P.S. Case No. 226 of 2019 registered for the  
offence(s) punishable under Sections 379, 411, 34 of the Indian  
Penal Code.

3. As per the allegation made in the FIR, three  
accused persons stolen the motorcycle of informant and got  
apprehend and they disclosed the name of the petitioner in their  
confessional statement.

4. Learned counsel appearing on behalf of the  
petitioner submitted that petitioner is innocent and he has falsely  
been implicated in the present case. The name of the petitioner



has surfaced in the present case on the basis of confessional statement of the co-accused namely Md. Mainuddin, Ritesh Kumar Mandal and Lalu Kumar Yadav, who were apprehended along with the motorcycle. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that the name of the petitioner has surfaced in the present case on the basis of confessional statement of the co-accused namely Md. Mainuddin, Ritesh Kumar Mandal and Lalu Kumar Yadav, who were apprehended along with the motorcycle, the petitioner is having clean antecedent, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in



connection with Bahadurganj P.S. Case No. 226 of 2019, subject to the conditions as laid down under Section 482(2) of the BNSS.

**8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.**

**(Purnendu Singh, J)**

Ashishsingh/-

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