

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52459 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- Bankebazar District- Gaya

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Khesari Khan @ Babar @ Ibrar S/o Md. Kamruddin Mohalla- Gewal Bigha,
PS- Rampur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bankey Bazaar P.S. Case No. 27 of 2025 dated 18.02.2025, instituted for the offence punishable under Sections 305 and 334(1) of the B.N.S.

3. The prosecution case, in short, is that on 17.02.2025, the informant closed his shop and went to his house. On 18.02.2025, when the informant reached his shop he found that the shutter of his shop was open. It is further alleged that some unknown miscreants have stolen 10 kg silver and 50 grams gold from his shop.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that petitioner is not named in the F.I.R. only on the basis of confessional statement of co-accused Sunny Kumar and Md. Shahid, petitioner has been made accused in this case. Nothing has been recovered either from the conscious possession or from the house of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 16.04.2025, he has two criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sherghati at Gaya in Bankey Bazaar P.S. Case No. 27 of 2025 subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

Sankalp/-

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