

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67863 of 2025

Arising Out of PS. Case No.-258 Year-2025 Thana- KISHANGANJ District- Kishanganj

Md Samir @ Samir S/O Shakil Alam @ Shakil Ahamad @ Shakil R/O Vill.-
Kagziabasti, Ward No. 15, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kishanganj P.S. Case No. 258 of 2025 instituted for the offences under Sections 310(2), 311 of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that while the informant along with his two friends was returning with Rs. 1,46,000/-, six miscreants on two motorcycles tried to snatch his bag at the point of pistol. In the meantime, the informant threw the bag into a field but co-accused Sagar Jha managed to flee away with it and the accused persons also took his mobile phone before escaping.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Rasid Anwar. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that there is a recovery of Rs. 2500/- from this petitioner but the same belongs to the petitioner and is not a looted amount. Learned counsel further submitted that petitioner has got no concern with the looted amount. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.05.2025 and has one criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 11.09.2025 passed in Cr. Misc. No. 46300 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kishanganj P.S. Case No. 258 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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