

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64977 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- VIJAYEPUR District- Gopalganj

Afjal Ansari @ Afjal Miya S/o Late Musa Ansari @ Late Musa Miyan R/o
Village - Vishunpura (Bishunpura), P.S - Mirganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Vijayipur (Vijaypur) P.S. Case No. 252 of 2024 registered for the alleged offences under Sections 309(4) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, four miscreants robbed the informant of his motorcycle, wallet containing Voter ID, Aadhar Card, Pan Card, Driving License and ATM Card, mobile phone and Rs. 1,500/- in cash. The name of the petitioner transpired during investigation for being involved in the robbery.

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



case. The name of the petitioner came up in this case in the confessional statement of co-accused Gabbu Miya and subsequently, the confessional statement of petitioner was also recorded. Except for these confessional statements, there is no material to show the complicity of the petitioner in the alleged offence. Nothing incriminating has been recovered from the person or possession of this petitioner and the recovery has been made from the house of co-accused Gabbu Miya. The petitioner has no concern with the whole occurrence. No test identification parade has been conducted to ascertain the identity of the petitioner to show his involvement. The petitioner is in custody since 12.02.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class,



Gopalganj/court concerned in connection with Vijayipur (Vijaypur) P.S. Case No. 252 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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