

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67751 of 2025

Arising Out of PS. Case No.-511 Year-2025 Thana- MADHAURAH District- Saran

Asif Ali @ Bhola, Son of Md. Jamil Hussain Resident of Village- Pojhi
Kapur, P.S.- Marhowrah, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Nalin Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-12-2025 Heard Dr. Nalin Kumar, learned counsel for the

Petitioner and Mr. Binod Kumar No. 3, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Marhowrah P.S. Case No. 511 of 2025 dated 15.07.2025
registered for the offence punishable under Section 309(6) of the
Bharatiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. The main submissions advanced by the petitioner's
counsel are that the petitioner is a 24-year-old person, he has
fair and clean antecedents, and he has been languishing in jail
since 21.07.2025 and during the investigation, the police
arrested the petitioner mainly on the basis of suspicion, but
nothing incriminating, including any part of the looted articles,
was recovered from his possession or on the basis of any



disclosure made by him. It is further submitted that the police also tried to connect a 'Passion Motorcycle', which is said to have been used in the commission of the alleged occurrence, with the petitioner, but in the FIR there are no details of the motorcycle's registration number, and during investigation the said motorcycle was found to be owned by one Kamlesh Chaudhary, with whom the petitioner has no connection or relation. It is lastly submitted that the petitioner was not put on a test identification parade after he was taken into police custody. Accordingly, there is no incriminating evidence to connect him to the alleged offence.

4. Though learned APP appearing for the State has opposed the prayer for bail of the petitioner but fairly accepts that except for the recovery of one alleged motorcycle, there is nothing against the petitioner, and also accepts the fact that the said motorcycle is in the ownership of some other person.

5. Considering the aforesaid submissions, and mainly the petitioner's custody period, and also the fact that the prosecution has not been able to point out any incriminating evidence in the case diary to show the petitioner's connection with the commission of the alleged loot, coupled with the petitioner's age and the completion of investigation against him,



this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Marhowrah P.S. Case No. 511 of 2025.

(Shailendra Singh, J)

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