

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67801 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- SIMRI District- Darbhanga

Md. Nizamuddin S/o Md. Raees R/o Village - Kanshi, P.S - Simri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Simri P.S. Case No. 178 of 2025 instituted for the offences under Sections 303(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that on 14.06.2025 at about 11:30 PM, unknown thief entered the informant's house and committed theft of OPPO Mobile and cash amounting to Rs. 43,000/-.

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 during investigation only on the basis of



suspicion. Except mobile phone, no incriminating article has been recovered from the conscious possession of the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.06.2025 and has three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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 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 Simri P.S. Case No. 178 of 2025.

(Rudra Prakash Mishra, J)

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