

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74620 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- PAKARIBARAW District- Nawada

Khashari Khan @ Babar @ Ibrar S/O Md. Kamruddin @ Kamruddin R/O
Mohalla- Gewal Bigha, P.S- Rampur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Pakribarawan P.S. Case No. 36 of 2025 instituted for the offences under Sections 305, 331(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that—after the informant returned home on 24.01.2025 around 5 p.m. after closing his shop *Shriram Jewellers*, he found the lock of his house broken and discovered that gold and silver ornaments worth ₹6,30,000/- along with ₹15,000/- cash had been stolen by unknown persons.

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 Md. Shahid and Md. Raja. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen articles. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.07.2025 and has six criminal antecedents. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 03.09.2025 passed in Cr. Misc. No. 43973 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 Pakribarawan P.S.



Case No. 36 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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