

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74464 of 2025

Arising Out of PS. Case No.-172 Year-2023 Thana- KADWA District- Katihar

Md. Anish S/o Vadiuzzama Resident of Village- Kanharia, PS- Dagarua,
District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nityanand Tiwari, APP

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

ORAL ORDER

2 17-10-2025 Heard Mr. Bimal Kumar, learned counsel for the
petitioner and Mr. Nityanand Tiwari, learned APP for the State.

2. The petitioner seeks bail in Kadwa P.S. Case No.
172 of 2023, instituted for the offences punishable under
Sections 379 and 461 of the Indian Penal Code.

3. The prosecution case, in short, is that, miscreants
looted laptop, fan, torch, mobile phone and cash of Rs. 15,000/-
from the shop of the informant at night.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner submits that the petitioner is not named in the



F.I.R. Name of the petitioner has transpired on the basis of confessional statement of co-accused namely Md. Chunna. No stolen articles have been recovered from the possession of the petitioner. The petitioner is in custody since 09.12.2024 and has got three criminal antecedents. The co-accused person has already been granted bail by this Court vide order dated 03.07.2024 passed in Cr. Misc. No. 45813 of 2024.

5. Learned APP 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 and taking into account 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kadwa P.S. Case No. 172 of 2023, 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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