

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84879 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- ARARIA District- Araria

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Mojassim S/O Murshid Resident of village - Dehti ward no.- 06, P.S- Palasi,
District - Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is apprehending his arrest in connection with Araria P.S. Case No. 130 of 2025, dated 24.03.2025 registered for the offence punishable under Sections 309(4) of B.N.S and later on sections 310(2), 317(3) of the B.N.S and section 25(1-B)A, 26 and 35 of the Arms Act.

3. As per the FIR, while the informant was going to Purnea with the tractor loaded with 160 sacks of paddy, some miscreants came on one black colour Alto and one white colour Scorpio and intercepted the informant's way at Rampur Kodarkatti Musahari on the point of pistol. They got the informant seated in his car and took away the informant's tractor. Thereafter, they dropped the informant near Kushiargo Park after snatching his mobile phone.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The first informant report has been registered against unknown and the name of this petitioner has surfaced in the present case only on the basis of confessional statement of Arbaz which has got no evidentiary value in the eyes of law. It is further submitted that the said co-accused has been granted regular bail by this court vide order dated 22.09.2025 passed in Cr. Misc. 45298 of 2025. It has next been submitted that on similar allegations two other co-accused persons namely Mahfooz and Soaib have already been granted privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 12.09.2025 passed in Cr.Misc. No. 55230 of 2025 while the allegation against this petitioner is similar in nature and there is no incriminating material to find the complicity of the petitioner in this case. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the fact that FIR was registered against unknown and nothing incriminating has been found except confessional statement of Arbaz who has already been extended



the benefit of regular bail, keeping in view clean antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 130 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(Ajit Kumar, J)

vashudha/-

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