

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7749 of 2026

Arising Out of PS. Case No.-673 Year-2024 Thana- RAHUI District- Nalanda

Md. Afsar Son of Md. Iqram Resident of Mohalla - Sabzibagh (Darzi Tola),
Police Station - Pirbahore, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amir Alam, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 331 (4) and 305 (a) of the BNS.

3. The prosecution case, in brief, is that unknown miscreants committed theft in the house of the informant. The FIR was lodged against unknown persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that during the course of investigation, Md. Samir @ Samir made a confessional statement in which the name of the present petitioner surfaced. The petitioner was subsequently remanded



in the present case from Barh P.S. Case No. 949 of 2024. It is further submitted that the petitioner has also made a confessional statement.

5 Learned counsel further contends that no incriminating article has been recovered from the possession of the petitioner and no Test Identification Parade (T.I. Parade) has been conducted. It is also submitted that co-accused Md. Samir @ Samir who named the petitioner in his confessional statement, has already been granted bail by a learned Co-ordinate Bench vide Cr. Misc. No. 117 of 2026, and the case of the present petitioner stands on similar footing.

6. However, it has been brought on record that the petitioner has criminal antecedents in 14 cases. In such circumstances, he is directed to cooperate in the trial, remain physically present on each and every date fixed by the court, and mark his attendance once every week at Barh Police Station. Moreover, the petitioner is languishing in judicial custody since 26.12.2024.

7. Learned APP appearing for the state has opposed the prayer of regular bail.

8. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on



bail. The above named petitioner is directed to be released on bail in connection with Rahui P.S. Case No. 673 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/concerned Court.

(Ashok Kumar Pandey, J)

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