

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7122 of 2026

Arising Out of PS. Case No.-18 Year-2025 Thana- Bathnaha District- Araria

Md. Rahman Son of Late Md. Taimul Resident of Village- Amauna,m Ward
No. 1, P.S.- Jogbani, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Advocate
	:	Mr. Nasar Iqbal, Advocate
	:	Mr. Afsha Mokhtar, Advocate
For the Opposite Party/s	:	Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks bail who is in custody since
24.10.2025 in connection with Bathnaha P.S. Case No. 18 of
2025 for the offences punishable under Section 309(6) of the
BNS and Section 27 of Arms Act.

3. The case of the prosecution, in brief, is that as per
the *fardbeyan* of the informant Shyamal Kishore Mishra on
03.03.2025, three unknown persons came on motorcycle and
intercepted a bank employee, assaulted him, fired shots in the
air, and robbed him of Rs. 1,50,000/- and a biometric device.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and is innocent and he has



falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that petitioner is not named in the FIR and name of the petitioner has transpired during the course of investigation. Learned counsel for the petitioner further submits that nothing has been recovered from the conscious possession of the petitioner or from the house of the petitioner and till date no TIP has been conducted of the prosecution. It is next submitted that police after investigation has submitted charge-sheet and petitioner is in custody since 24.10.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that name of the petitioner has transpired on the basis of CCTV footage, thereafter, the petitioner has confessed his guilt in the present occurrence but fairly submits that no TIP has been conducted of the prosecution.

6. Considering the aforesaid facts and circumstances and that petitioner is a person with clean antecedent and petitioner is not named in the FIR and also the fact that no TIP has been conducted of the prosecution. Apart from that nothing



has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with in connection with Bathnaha P.S. Case No. 18 of 2025 , subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of



verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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