

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15145 of 2026**

Arising Out of PS. Case No.-318 Year-2024 Thana- SOHSARAI District- Nalanda

Md. Afsar S/o Md. Iqram Resident of Mohalla - Sabzibagh (Darzi Tola), P.S-  
Pirbahore, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amir Alam, Advocate  
For the State : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      10-03-2026                      Heard Mr. Amir Alam, learned counsel for the  
petitioner and Mr. Lalan Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since  
30.07.2025, in connection with Sohsarai P.S. Case No. 318 of  
2024, F.I.R. dated 23.12.2024 registered for the offences  
punishable under Sections 331(4) and 305(B) of the B.N.S.

3. The F.I.R. of the occurrence of theft is against  
unknown.

4. Learned counsel for the petitioner submits that the  
petitioner is not named in the F.I.R. and the name of the  
petitioner has been transpired during investigation on the basis  
of confessional statement of co-accused person, namely, Md.  
Samir @ Sanni and except the aforesaid, no other cogent  
material has come during investigation to suggest the



involvement of the petitioner in the present occurrence and till date no TIP was conducted by the prosecution and nothing has been recovered from the conscious possession or the house of the petitioner and petitioner has been remanded in the present case from Barh P.S. Case No. 949 of 2024 and he is custody in the present case since 30.07.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries fourteen more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of fourteen cases, the petitioner is on bail in twelve cases.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and till date no TIP was conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class/concerned Court, Nalanda at Biharsharif in connection with Sohsarai P.S. Case No. 318 of 2024, subject to the



following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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)**

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