

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17808 of 2026

Arising Out of PS. Case No.-4 Year-2025 Thana- KURSAKANTA District- Araria

Md. Israil @ HathKatta @ Md. Israfil, Son of Md. Ibrahim @ Tetan, Resident of Village-Navtoliya (Navtoli/ Navtol), Ward No 09, P.S-Kursakanta, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-03-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in connection with Kursakanta P.S. Case No. 04 of 2025 registered for the offence punishable under Sections 310(2) and 311 of B.N.S., Section 27 of the Arms Act and Sections 3 and 4 of Explosive Act.

3. The case of the prosecution, in short, is that while the informant and his family members were sleeping in the house, the informant was awakened by noise and noticed that some miscreants were planning to commit robbery. Thereafter when the informant, his son and his grandson went to see his shop situated 50 meters away from his house, 12-15 accused



persons stopped the informant and looted some cash from the locker of the shop. When the informant's son resisted the miscreants, one of them fired upon him, a bullet pierced into his stomach in consequence of which he suffered injury.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. From perusal of the F.I.R. it is clear that no one is named. From perusal of C.C.T.V. Footage, one Md. Hefaz was identified. Md. Hefaz has given his confessional statement and the name of this petitioner has surfaced in the confessional statement of Md. Hefaz. It has further been submitted that nothing has been recovered from the possession of this petitioner. He is languishing in judicial custody since 21.10.2025. It has also been submitted that from perusal of Annexure-P/2 it will transpire that petitioner is handicapped.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Kursakanta P.S. Case No. 04 of 2025 **with the condition that petitioner shall cooperate in the trial and shall be present in the learned trial Court whenever required.**

(Ashok Kumar Pandey, J)

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