

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16873 of 2026

Arising Out of PS. Case No.-253 Year-2025 Thana- ASHTHAWAN District- Nalanda

Md Alam @ Md. Islam S/o Md. Israil R/o vill - Akbarpur, P.S.- Barh, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-05-2026 Heard Mr. Raj Kishor Prasad, learned counsel for the petitioner and Mr. Abhay Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 19.08.2025 in connection with Asthawan P.S. Case No. 253 of 2025, FIR dated 18.07.2025 registered for the offence under Section 310(2) of the Bharatiya Nyay Sanhita, 2023 and Section 25(1-b)(a), 26, 35 of Arms Act, 1959.

3. According to the prosecution case, the informant alleged that on 17.07.2025 at about 10.00 P.M, six unknown miscreants entered his house. They made all family members sit in the courtyard after tying their hands and mouths. The accused persons looted Rs. 3,50,000 in cash and gold and silver ornaments worth about Rs. 4,50,000/-.

4. Learned counsel appearing for the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. Initially the petitioner was not named in the FIR and his name transpired during investigation on the basis of confessional statement of co-accused person and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and the petitioner is rotting in judicial custody since 19.08.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has been made accused in this case on the basis of confessional statement co-accused which is recorded in paragraph no. 44 of the case diary. Thereafter, the petitioner and other co-accused persons have also confessed their guilt. The informant identified the petitioner and the other accused persons during the TIP and stated that the petitioner had pointed a pistol at him, forced all the family members to sit in the courtyard after tying their hands and mouths, and looted cash and ornaments from the house and apart from that petitioner carries six criminal antecedents other than the present one.

6. Considering the facts and circumstances of the



case, I am not inclined to enlarge the petitioner on bail in connection with Asthawan P.S. Case No. 253 of 2025, pending in the Court of D.A.S.J.-XII, Nalanda at Biharsharif.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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