

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24597 of 2026

Arising Out of PS. Case No.-264 Year-2022 Thana- BELDOUR District- Khagaria

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Md. Asfak Son of Md. Ebrar @ Ebo Miyan @ Md. Iftekhar Resident of
village- Chodhli, Ps- Beldaur, Dist- Khagaria Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Dhananjay Kumar Tiwary, learned

counsel for the petitioner and Mr. Navin Kumar Pandey, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.09.2024 in connection with Suppl. Beldaur P.S. Case No. 264
of 2022, F.I.R. dated 30.11.2022 for the offences punishable
under Sections 307, 353, 504/34 of the IPC and Sections 25(1-
B)a, 26, 27 and 35 of the Arms Act.

3. According to prosecution case, the informant on
secret information that some miscreants are going to commit
some serious crime committed raid upon the place of occurrence
where three persons were apprehended and they disclosed the
name of the petitioner who managed to escape from the place of
occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the name of the petitioner has been transpired on the basis of disclosure made by the apprehended co-accused, namely, Md. Ebrrar @ Ebbo and Lavan Sharma and recovery has also been made from the co-accused persons and nothing has been recovered from the possession of the petitioner. Except disclosure made by the co-accused persons no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.09.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is involved in the present crime in question and he escaped from the place of occurrence. Apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances as well as period of custody, 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 CJM, Khagaria in connection with
Suppl. Beldaur P.S. Case No. 264 of 2022, 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)

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