

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24648 of 2026

Arising Out of PS. Case No.-6 Year-2026 Thana- BUDDHACOLONY District- Patna

Md. Sahabuddin @ Papu S/O Md. Karamat Ali R/O Village- Dhodhara,
Kurtha, P.S- Kurtha, Distt.- Arwal, At present- Dwarika Mandir Lane, West
Boring Canal Road, P.S.- Budha Colony, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 16-04-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing for the State.

2. The petitioner apprehends his arrest in connection
with Budha Colony P.S. Case No.06 of 2026, for allegedly
having committed offences under Sections 303(2) and 3(5) of
the B.N.S., 2023.

3. As per the prosecution story, lodged on the basis of
a written statement of the informant to the effect that his office
is located in Lodipur, Patna and he closed his office on
02.01.2026. When he returned to his office the next morning, he
found that outdoor unit of the A.C. was not there and after
inquiry from nearby persons, no information was provided.
From perusal of the C.C.T.V. camera, it transpired to him that



one person was carrying the outdoor unit of the A.C. while other person was watching and from the persons residing in the vicinity, he came to know that both the persons are regularly seen near Budha Colony *Nala*. When the informant went there, he saw the person, whom he had seen in the video clip/C.C.T.V. camera. The petitioner asked from him about the occurrence, to which he confessed his involvement. On his confession, both the persons named as Gaurav Kumar and Amrit Kumar were arrested by the police.

4. The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The name of the petitioner transpired on the basis of confessional statement of Amrit Kumar before the police. Since the petitioner was not arrested at the place of occurrence, therefore, there is no question of any recovery from possession of the petitioner. The petitioner has got a clean antecedent.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Having heard the learned counsel for the parties and after going through the records, it appears that the petitioner was not named in the F.I.R. The name of the petitioner transpired during course of investigation on the confessional



statement given by one of the arrested persons and he was not present at the place of occurrence, therefore, there is no question of any recovery from possession of the petitioner.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, 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 the learned A.C.J.M.-XIV, Patna in connection with Budha Colony P.S. Case No.06 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned 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 concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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