

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29712 of 2026

Arising Out of PS. Case No.-83 Year-2022 Thana- AAJAM NAGAR District- Katihar

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Jamil Akhtar @ Jamil @ Md. Jamil Akhtar S/o Shohrab Mallah @ Md. Shohrab Resident of Village - Sahjana, P.S. - Azamnagar, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Bimal Kumar, learned counsel for the petitioner as well as Mr. Amitesh Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 27.07.2022 in connection with Azamnagar (Salmari O.P) P.S. Case No. 83 of 2022, F.I.R. dated 04.04.2022 for the offences punishable under Sections 394 of the Indian Penal Code and Section 27 of Arms Act.

3. According to prosecution case, the informant runs a CSP centre and she was going to distribute the cash to her centre by scooty and in way, 3 miscreants intercepted her and on point of arms they took away her scooty and cash of Rs. 50,000/- and fled away from there.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the FIR and his name transpired during investigation on the basis of confessional statement of co-accused person and nothing has been recovered from the conscious possession of the petitioner. He next submits that informant was examined before the learned Trial Court and she could not identify the petitioner and similarly situated co-accused, namely, Dilkhush has been granted the privilege of bail by this Court vide order dated 23.02.2023 in Cr. Misc.No. 63223 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 27.07.2022.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries eighteen criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and 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 District & Additional Session's Judge-III, Katihar in connection with Azamnagar (Salmari O.P) P.S. Case No. 83 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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