

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30858 of 2026

Arising Out of PS. Case No.-635 Year-2025 Thana- CHAPRA TOWN District- Saran

Niraj Kumar @ Niraj Basfore @ Musa S/O Meethai Ram @ Mithai Ram R/O
Village-Indira Nagar Daldali Bazar, P.S-Chapra Town, Dist.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 28341 of 2026

Arising Out of PS. Case No.-635 Year-2025 Thana- CHAPRA TOWN District- Saran

Niraj Kumar @ Marla S/O Late Manoj Kumar R/O Village- Indra Nagar, P.S.-
Chapra Town, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 30858 of 2026)
For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP
(In CRIMINAL MISCELLANEOUS No. 28341 of 2026)
For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 21-07-2026 Heard learned counsel for the petitioners and learned APP
for the State. Perused the case diary.

2. The petitioners seek bail in connection with Chapra
Town P.S. Case No. 635 of 2025 instituted for the offence under
Sections 331(4) & 305 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that during the



intervening night of 10.11.2025, while the informant was away with his family, unknown miscreants allegedly broke into his house and committed theft of jewellery, cash of Rs. 60,000/-, and other valuables.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 18.11.2025. Petitioner, namely, Niraj Kumar @ Niraj Basfore @ Musa bears seven (7) criminal antecedents, whereas petitioner, namely, Niraj Kumar @ Marla bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail applications, respectively.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the FIR. Name of the petitioner, namely, Niraj Kumar @ Niraj Basfore @ Musa has transpired on the basis of his self-confessional statement, whereas, he has disclosed the name of another petitioner, namely, Niraj Kumar @ Marla. Petitioners were not even put on T.I. Parade to ascertain their complicity in the alleged occurrence. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is



submitted that some stolen articles were recovered from both petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chapra Town P.S. Case No. 635 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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