

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28715 of 2026

Arising Out of PS. Case No.-92 Year-2025 Thana- BEGUSARAI RAIL P.S. District-
Begusarai

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Md. Iliyas S/O Md. Hadish @ Md. Hadis Village- Narayanpur, Mathurapur,
Paschim Tola, Ward No. 02, P.S.- Bhwanipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2026 Heard Mr. Sandip Kumar Gautam, learned counsel

for the petitioner as well as Mr. Anil Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.12.2025 in connection with Begusarai Rail P.S. Case No. 92
of 2025, F.I.R. dated 25.12.2025 for the offences punishable
under Sections 305(c), 317(2), 317(5) of the Bharatiya Nyay
Sanhita, 2023.

3. According to prosecution case, during patrolling at
the railway station, police recovered four mobile phones and Rs.
1050/- from the possession of the petitioner.

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 allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and he has been made accused merely on the basis of suspicion and except suspicion, no other cogent 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 and the petitioner is in custody since 25.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three 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 two cases and one case is pending for consideration before competent Court of law.

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate, Railway Barauni, Begusarai in connection with Begusarai Rail P.S. Case No. 92 of 2025,



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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