

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30643 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- KISHANPUR District- Supaul

MD. MUMTAJ @ BIRU S/O MD. SAMIL @ BUCHU MIYAN R/O VILL.-
THARBITTA, WARD NO- 9, PS- KISHANPUR, DISTT- SUPAUL

... .. Petitioner

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Priya Raj, Advocate
	:	Mr. Parth Sarthy
For the Opposite Party/s	:	Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 06-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 15.02.2026 in connection with Kishunpur P.S. Case No. 25 of 2026 for the offence punishable under Section 334(1) and 307 of BNS.

3. The case of the prosecution, in brief, is that hat the informant, Subodh Swarnkar, a jeweler of Kisanpur, Supaul, stated that he closed his jewelery shop on 26.01.2026 at about 08:00 PM. In the early morning of 27.01.2026, he received information that his shop had been broken open. On reaching there, he found that during the night, unknown miscreants had committed theft by breaking the shutter and wall of the shop. It is alleged that gold and silver ornaments, cash, and other jewellery-making articles worth lakhs were stolen. The shop was found ransacked, and the CCTV DVR installed there was also taken away, indicating an attempt to destroy evidence. The



occurrence appears to have been committed by a group of unknown persons in a planned manner. The informant, along with his brothers, verified the missing articles and reported the matter to the police. Accordingly, an FIR was registered against unknown accused persons for investigation, recovery of stolen property, and necessary legal action.

4. Learned counsel for the petitioner submits that it appears from the FIR that initially the petitioner was not named in the FIR and the name of the petitioner has transpired on the basis of confessional statement of co-accused Mehendi Alam and nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted of the prosecution and petitioner is in custody since 15.02.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

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 Sessions Judge, Supaul in connection with Kishunpur P.S. Case No. 25 of 2026, 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)

Gaurav Sinha/-

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