

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32426 of 2026

Arising Out of PS. Case No.-49 Year-2026 Thana- SULTANGANJ District- Patna

Md. Sahil S/o Md. Naushad R/o Mohammadpur, Shahganj, P.S.- Sultanganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritanshu Raj, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sultanganj P.S. Case No. 49 of 2026 registered for the alleged offences under Sections 331(4), 305 of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, a theft was committed in the night in the dwelling house of the informant and thieves took away cash amount of Rs. 80,000 and a number of gold and silver ornaments. The name of the petitioner transpired during investigation for being involved in the said theft.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner was not apprehended from the spot and nothing



incriminating has been recovered from his person or possession. He has been named in this case merely on suspicion. When the co-accused Md. Rahman And Md. Rashid were arrested on the basis of the CCTV footage, the name of the petitioner surfaced for the first time in the confessional statement of co-accused persons. Learned counsel submits that no recovery of any stolen article has been made from the possession of petitioner and a sum of Rs. 25,540/- which has allegedly been recovered has no nexus with the alleged occurrence. Moreover, petitioner was not seen on CCTV and there appears no direct or circumstantial evidence. The recovery of cash amount shown from the petitioner is irrelevant and unconnected to the alleged occurrence. The petitioner is having clean antecedent and is in custody since 05.02.2026. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna City, Patna/court concerned in connection with Sultanganj P.S. Case No. 49 of 2026 subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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