

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33342 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- KIUL RAIL P.S. District- Lakhisarai

Md. Sahid S/O Md. Nehal R/O Vill - Gondapul (Gondapur), Darji Tola, P.s -
Bundelkhand, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Mr. Umesh Prasad, Advocate Ms. Harshita, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with Kiul Rail P.S. Case no.34 of 2026 registered under sections 303(2) and 317(5) of BNS, 2023.

3. Allegation in the F.I.R is that a stolen motorola blue colour smart phone was recovered from petitioner's possession.

4. Learned counsel for the petitioner submits that petitioner was apprehended at Railway platform by the informant who is the Inspector of the RPF. He further submits that the petitioner was arrested only on the basis of suspicion and no incriminating article was recovered from his possession and the recovery of the mobile phone which has been shown, is



not said to be a stolen one, however, a confession has been recorded with regard to theft of the mobile phone, which has no evidentiary value in the eye of law. Further, there is no independent witness to the seizure list indicating violation of mandatory provisions of search and seizure. The petitioner is in custody since 28.02.2026 and undertakes to cooperate in the case/trial. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that petitioner is in custody since 28.02.2026 and he undertakes to co-operate in case/trial, the petitioner is directed to be enlarged on bail in connection with Kiul Rail P.S. Case no.34 of 2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

