

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36328 of 2026

Arising Out of PS. Case No.-309 Year-2026 Thana- KISHANGANJ District- Kishanganj

1. Sahud @ Sahud Alam S/O Md. Jamir @ Jamiruddin Resident of Village-Naya Tola Gachhpara, Ward no. 13, P.O. Gachhpara, P.S. and District-Kishanganj.
2. Saidur @ Saidur Rahman S/O Quaim @ Abdul Quaim Resident of Village-Naya Tola Gachhpara, Ward no. 13, P.O. Gachhpara, P.S. and District-Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-06-2026 Heard Mr. Md. Shahnawaz Ali, learned Advocate for the petitioners and Mr. Shyam Kumar Singh, learned Additional Public Prosecution for the State through virtual mode.

2. The petitioners apprehend their arrest in connection with Kishanganj P.S. Case No. 309 of 2026, registered for the offences punishable under Sections 331(4), 305(e) of the B.N.S.

3. Allegedly, while the rice mill of the informant was closed, in the meanwhile, in the mid-night of 21.03.2026, some unknown persons came there on a toto and a pick-up van and took away 37 quintals of rice belonging to the FCI. On CCTV footage, the accused person was identified as Anwarul Haque.



4. Learned Advocate for the petitioners submitted that that the petitioners are not named in the F.I.R. Later on, the name of the petitioners have surfaced on the confessional statement of co-accused Md. Mukim from whose possession, the stolen rice was recovered. Save and except, the confessional statement, there is no incriminating material. It is further contended that the petitioners were not identified in the CCTV footage, moreover, the petitioners bear fair antecedents and they undertakes that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the complicity of the petitioners transpired on the confessional statement of co-accused Md. Mukim.

6. Having regard to the submissions made on behalf of the parties and considering the fact that the petitioners were not identified in the CCTV footage, which has captured the scene of theft; besides, fair antecedents of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten



Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 309 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

sadique/-

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

