

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36859 of 2026

Arising Out of PS. Case No.-63 Year-2026 Thana- PAHARKATTA District- Kishanganj

Samiruddin S/o Animul Haque @ Ainul Haque @ Aynul R/o Dhulabari, P.s.-
Paharkatta, Distt.- Kishanganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Akhter Hussain, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Mohammad Akhter Hussain, learned
counsel for the petitioner and Ms. Veena Kumari Jaiswal,
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.03.2026 in connection with Paharkattha P.S. Case No. 63 of
2026, F.I.R. dated 14.03.2026 for the offences punishable under
Sections 317(5), 338, 336(3) and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner was
apprehended by the police who on enquiry could not be able to
produce valid documents regarding the motorcycle which he
was riding. Later on, it was found that the said motorcycle was
stolen one and the petitioner has disclosed name of other
accused persons who were involved in sale and purchase of
stolen motorcycle.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He has been made accused merely on the basis of suspicion. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Gulshad Alam and Anr. have been granted bail by this Court vide order dated 15.06.2026 passed in Cr. Misc. No. 36618 of 2026. The petitioner is in custody since 14.03.2026.

5. The learned Additional Public Prosecutor 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 SDJM, Kishanganj in connection with Paharkattha P.S. Case No. 63 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)

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