

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39494 of 2026

Arising Out of PS. Case No.-95 Year-2026 Thana- KATIHAR NAGAR District- Katihar

Md. Tamil Raza S/o Md. Rafique R/O Vill- Amdabad Paschim Tola, PS-
Amdabad, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2026 Heard Mr.Amritanshu Dangi, learned counsel for the

petitioner and Mr.Pawan Kumar Chaurasia, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
24.01.2026 in connection with Katihar Nagar P.S. Case No. 95
of 2026, F.I.R. dated 21.01.2026 registered for the offence
punishable under Sections 303(2) and 334 of BNS, 2023.

3. The FIR of the occurrence of theft is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent. Petitioner is not named in the
FIR. The name of the petitioner has been transpired during
investigation on the basis of the confessional statement of co-
accused person, namely, Noorul @ Noor Alam, except the



confessional statement of co-accused person, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence, nothing has been recovered from conscious possession or the house of the petitioner, till date no TIP has been conducted by the prosecution, the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 24.01.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, nothing has been recovered from conscious possession or the house of the petitioner, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and till date no TIP has been conducted by the prosecution, 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 learned Chief Judicial Magistrate, Katihar in connection with Katihar Nagar P.S. Case No. 95 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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