

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41549 of 2026

Arising Out of PS. Case No.-194 Year-2026 Thana- RAMGARHWA District- East
Champaran

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Arshad Babu Son of Shamdhuddin Miyan @ Samsuddin Miyan Resident of
village - Bela, P.S.- Ramgarhwa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Narsingh Tanti, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
17.04.2026, in connection with Ramgharwa P.S. Case No. 194
of 2026, F.I.R. dated 15.04.2026 registered for the offences
punishable under Sections 309(4) of the B.N.S.

3. Allegation against the petitioner is that he along
with other co-accused persons threatened the informant with a
knife and stick, robbed jewellery worth Rs. 5,00,000/- from her
house along with Krishu's mobile phone and fled away.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. It appears from the F.I.R. that



initially the petitioner was not named in the F.I.R. and the name of the petitioner has been transpired on the basis of the confessional statement of co-accused person, namely Nehal Alam. Although on the basis of disclosure made by the petitioner, some looted gold and silver ornaments were recovered from the house of co-accused Laddu Kumar. He further submits that except the aforesaid, nothing cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and he is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of disclosure made by apprehended co-accused person, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate,



Raxaul at Motihari, East Champaran in connection with
Ramgharwa P.S. Case No. 194 of 2026, subject to the following
conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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