IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42968 of 2026

CNR No. BRHC010607662026

Arising Out of PS. Case No.-195 Year-2025 Thana- DIGHALBANK District- Kishanganj

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Irfan son of samim Akhtar Resident Of Village- Khari Tola, Ward no. 04, Pipla Ps- Dighalbank Dist- Kishanganj

... ... Petitioner/s

Versus

The State of Bihar bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate
For the Opposite Party/s : Ms. Dr. Indiwar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

7 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with S.T. No. 76 of 2026 arising out of Dighalbank P.S. Case No. 195 of 2025 instituted for the offence under Sections 137(2) & 140(1) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, the husband of the informant was missing since 20.09.2025 and even after self-efforts the informant failed to trace her husband, whereafter the present FIR was lodged on 14.10.2025.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.11.2025. Petitioner

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bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of 24 days in lodging the FIR. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Md. Daras, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.09.2026 passed in Cr. Misc. No. 50307 of 2026. Nothing has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted in this case and case is at the stage of framing of charge.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.T. No. 76 of 2026

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arising out of Dighalbank P.S. Case No. 195 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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