

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49931 of 2026

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

Nurul @ Noor Alam Son of Sk. Shariful Resident of Village- Boglagar
Bhawanipur, P.S.- Amdabad, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Pushpa Sinha.1, APP.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Katihar Town P.S. Case No. 95 of 2026, registered for the offences punishable under Sections 303(2) and 334 of the BNS. The petitioner is languishing in custody since 24.01.2026.

3. The prosecution case, in brief, is that during the intervening night of 20/21.01.2026, unknown miscreants allegedly broke open the locks of the informant's jewellery shop and committed theft of about 8 kg of silver ornaments and gold ornaments/bullion worth approximately Rs. 26.90 lakhs. During the course of investigation, the petitioner, Nurul



@ Noor Alam, came to be implicated as one of the alleged participants in the occurrence, whereupon the present case was instituted against him.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He has further submitted that the petitioner has not been named in the FIR and his name has transpired on the basis of the confessional statement of co-accused persons. He has also submitted that no recovery has been made from his conscious possession and neither has he been put on Test Identification Parade. He has next submitted that although the petitioner has four criminal cases against him, in all the aforesaid four cases, he is on bail, which has been mentioned in paragraph no. 3 of the bail application. He has further submitted that the other co-accused persons, namely, Aukar Alam as well as Sunder Khan, who have been named in the confession of co-accused persons, have already been granted bail by a Co-ordinate Bench of this Court, i.e., Annexure-P/2. He has also submitted that the case of the petitioner stands on a similar footing.

5. On the other hand, the learned APP for the State has opposed the prayer for bail by submitting that the petitioner



has four criminal antecedents in his credit.

6. Taking into account the entire facts and circumstances of the case, coupled with the fact that the other co-accused persons have been granted bail and his name has also transpired on the basis of the confession of co-accused, let the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned CJM, Katihar/concerned court in connection with Katihar Town P.S. Case No. 95 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the case as mentioned in para-



3 of the bail petition, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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