IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60038 of 2026

CNR No. BRHC010841312026

Arising Out of PS. Case No.-316 Year-2023 Thana- BIHAR District- Nalanda

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Md. Meraj @Ghoncha Son of Md. Muslim Resident of Mohalla- Chainpur, P.S.- Bihar, District- Nalanda

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anil Kumar No.1, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

4 27-10-2026 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bihar P.S. Case No. 316 of 2023, for the offences punishable under Sections 457 and 380 of the I.P.C.

3. The prosecution case, in brief, is that on the night of 09.04.2023, unknown thieves entered the house of informant by scaling/breaking the wall while the family was sleeping. It is further alleged that the thieves stole gold jewelry, a silver anklet, 30,000 rupees in cash and an OPPO mobile phone.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel for the petitioner further submits that the

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petitioner is in custody since 25.05.2026 and the charge-sheet has been submitted. The counsel also submits that the petitioner is not absconding in any of the cases pending against him. The learned counsel lastly submits that the petitioner’s name has been added on suspicion merely because he has criminal history.

5. The learned APP for the State vehemently opposed the prayer for bail of the petitioner.

6. Having heard the learned counsel for the parties and taking into consideration the fact that the charge-sheet has been submitted against the petitioner and further taking into consideration the fact that criminal antecedents cannot constitute a ground for rejection of bail, as held by the Hon'ble Apex Court in **Abhimanue Etc. v. State of Kerala (2025 INSC 1136)** and also the fact that the name of the petitioner has been added merely on the confessional statement of the co-accused, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the likewise amount each to the satisfaction of learned C.J.M, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 316 of 2023, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close family member.

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(II) The petitioner shall co-operate in the process of trial.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioner shall not commit offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar, J)

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