IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67793 of 2026

CNR No. BRHC010981992026

Arising Out of PS. Case No.-474 Year-2025 Thana- PALASI District- Araria

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Md. Asharaf Son of Md. Ainul @ Ainul Haque Resident of village - Barhat, Police Station - Palasi, District - Araria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 04-11-2026 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with Palasi P.S. Case No. 474 of 2025 registered for the offences under Sections 309(4) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is not named in the First Information Report and is in custody since 02.12.2025.

4. As per FIR, some unknown miscreants committed robbery upon the informant and while committing so looted his motorcycle on knife point.

5. It is submitted by learned counsel appearing on

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behalf of the petitioner that during course of investigation, looted motorcycle of the informant was recovered from the house of neighbor of this petitioner, who disclosed that it was kept by this petitioner in his house and on the basis of said disclosure, petitioner was implicated with the present crime in question without having any cogent material.

6. It is pointed out that one of the reason for implication of this petitioner is his criminal antecedents, as he found involved in seven more criminal cases, more or less all are of similar nature, in which his name transpired on the basis of confessional statement or on the basis of suspicion as of the present case. It is further pointed out that petitioner was not put on Test Identification Parade as yet.

7. While concluding argument, it is submitted that investigation of this case has already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

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

9. In view of aforesaid factual submission and by

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taking note of the fact as the looted motorcycle admittedly not appears to be recovered from the house of this petitioner rather from the house of the neighbor, coupled with the fact that investigation of this case has already concluded, where petitioner remains in custody since 02.12.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria/concerned court, in connection with Palasi P.S. Case No. 474 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

Rajeev/-

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