

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81539 of 2025

Arising Out of PS. Case No.-503 Year-2023 Thana- ROSERA District- Samastipur

Md. Abrar Warsi S/O Late Md. Aslam Rijavi R/O Village- Adampur,
Katarmala, P.S.- Garoul, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the State : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Heard Mr. Rajeev Ranjan, learned counsel for the
petitioner and Mr. Ahmad Ali, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 02.12.2023, in connection with Rosera P.S. Case No. 503 of 2023, F.I.R. dated 09.09.2023 registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the deceased was killed by hired criminals.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused Vicky Kumar which



was recorded in paragraph-68 of the case diary and except the confessional statement of co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and co-accused Vicky Kumar has confessed that one Subhash Jha has fired upon the victim and petitioner has also confessed that Subhash Jha has fired upon the victim and co-accused person, namely, Rajesh Kumar Mandal who has arranged the weapon of the present crime in question has been granted bail by a Coordinate Bench of this Court vide order date 02.05.2025 passed in Cr. Misc. No. 16598 of 2025. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.12.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has confessed his guilt in the present crime and apart from that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, 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 District & Additional Sessions Judge-I, Rosera, Samastipur in connection with Rosera P.S. Case No. 503 of 2023, 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.

(Rajesh Kumar Verma, J)

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