IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77531 of 2026

CNR No. BRHC011046152026

Arising Out of PS. Case No.-22 Year-2025 Thana- BELDOUR District- Khagaria

==========

Md. Diljan S/o Md. Akhtar Resident Of Village- Dighaun, ward No 2, Ps- Beldaur, Dist- Khagaria

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Jai Kishor Poddar
For the Opposite Party/s : Mr.Shyam Kumar Singh

==========

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 19-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 309(4) of the B.N.S.

3. As per the FIR, three miscreants on the point of pistol, stopped his motorcycle, looted mobile and cash of Rs. 3000/- along with the motorcycle.

4. Learned counsel for the petitioner submits that the First Information Report was lodged against unknown persons and the name of the petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused Md. Jahid before the police, which has no evidentiary value in the eye of law. It is further submitted that the recovery of the looted motorcycle was made from the possession of co-

WEB COPY

accused Md. Jahid while the petitioner was not even put on TIP. The order dated 18.08.2025 passed in Cr. Misc. No. 49032 of 2025 (Annexure-p/1) has also been pointed out to show that the petitioner and one Md. Arman with similar allegations had approached for anticipatory bail and while anticipatory bail was granted to co-accused Md. Arman, the prayer on behalf of this petitioner was rejected on the basis of his criminal antecedent. Now, the petitioner is in custody since 09.06.2026, charge-sheet has already been submitted and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the application for bail on the ground of criminal antecedent.

6. Taking into consideration the facts and circumstances and also considering the fact that the similarly situated co-accused has been granted anticipatory bail and this petitioner on account of his criminal antecedent has now remained in custody since 09.06.2026, let the above named petitioner, be enlarged 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 the learned court below where the case is pending/successor court in connection with Beldaur P.S. Case No. 22 of 2025, subject to the conditions that:

WEB COPY

(I) One of the bailors would be the family member or relative.

(II) The petitioner would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

devendra/-

U		T	

WEB COPY