IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75933 of 2026

CNR No. BRHC011098002026

Arising Out of PS. Case No.-57 Year-2026 Thana- LADANIA District- Madhubani

==========

Md. Hakim @ Abdul Hakim @ Hakim S/o Late Md. Shahid R/o Village - Yogiya, P.S - Ladaniya, District - Madhubani

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

==========

Appearance :

For the Petitioner : Dr. Ajay Sri, Adv.
: Dr. Bhavesh Kumar Sah, Adv.
: Mr. Sumit kumar Singh, Adv.
: M.s. Archana Anand, Adv.
For the Opposite Party : Md. Matloob Rab, APP

==========

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Ladaniya P.S. Case No.57 of 2026 registered for the offences punishable under Section 310(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'B.N.S.') and Section 27 of Arms Act.

3. The petitioner is not named in the FIR and is in custody since 04.04.2026.

4. The allegation against the petitioner is to commit dacoity in the house of the informant and looted 55 bhar

WEB COPY

gold, 3.6 Kg of silver, 30 ratti of diamond and cash of Rs. 3.5 lakh.

5. It is submitted by learned counsel appearing for petitioner that name of this petitioner transpired during investigation on the basis of his self-confession while he was apprehended in Ladaniya P.S. Case No. 64 of 2026, in furtherance of which no incriminating material recovered/surfaced during investigation as to connect this petitioner with the present occurrence of dacoity. It is submitted that petitioner was not put on TIP. While concluding argument, it is submitted that investigation of this case has already been concluded, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. Explaining criminal antecedent, it is submitted that petitioner found involved in 12 more criminal cases, where he is on bail in 11 cases and in maximum of cases his name transpired either on the basis of self-confession or on the basis of confessional statement of co-accused persons like present case having otherwise no evidentiary value in the eyes of law. It is submitted that if

WEB COPY

the merit of this case otherwise appears convincing in favour of accused, merely on the basis of his criminal antecedents, ordinarily the prayer of bail should not be declined. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari vs. State of U.P. *&* Ors. [(2020) 11 SCC 648].**

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima-facie* save and except suspicion arising out of self-confession, nothing incriminating appears against this petitioner during investigation as to connect him with the present occurrence of dacoity coupled with the fact that investigation of this case has already been completed, where petitioner remains in custody since 04.04.2026, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Sessions Judge,

WEB COPY

Madhubani, in connection with Ladaniya P.S. Case No.57 of 2026, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Aniket/-

U		T	

WEB COPY