**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.76163 of 2026**

**CNR No. BRHC011106522026**

Arising Out of PS. Case No.-276 Year-2025 Thana- GORIAKOTHI District- Siwan

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Asif Khan @ Ashif Khan Son of Ali Akhtar Khan @ Akhtar Khan Resident of Village- Chhitauli Khurd, P.S.- Goreakothi, District- Siwan.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Javed Aslam, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered under Sections 309(4), 309(6) of the Bharatiya Nyaya Sanhita. Later on, Sections 25(1-b)a, 26 and 35 of the Arms Act were added.

3. The prosecution case, in brief, is that on the alleged date and time of occurrence, while the informant was coming on motorcycle after closing his mobile repairing shop, in the meantime, three persons riding on motorcycle stopped him and one person put a pistol on his temple and started abusing. Thereafter, one person snatched the key of the motorcycle, two mobile phones and Rs.3000 from the informant

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and pushed him on the ground and another person assaulted him with knife due to which informant sustained injury. On *halla*, the accused persons managed to flee away from the spot after taking the motorcycle, two mobile phones and Rs.3000 of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the FIR. His name is transpired during the course of investigation on the confessional statement of co-accused Saif Khan. Further submission is that informant accepted that he has not suffered any injury. Except the confessional statement of co-accused Saif Khan who has already been granted regular bail, there is nothing material against the petitioner. It is further submitted that no incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is a young boy of 20 years having no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, submissions of learned counsel for the parties, nature of allegation, young age of the petitioner and his clean

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antecedent, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Siwan in connection with Goreakothi P.S. Case No. 276 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

**(Sunil Dutta Mishra, J)**

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