

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82711 of 2025

Arising Out of PS. Case No.-318 Year-2024 Thana- SOHSARAI District- Nalanda

1.

Md. Zawed Ali @ Md. Zawed S/O Naushad Ali @ Naushad Ali R/O Tirahe Ki Masjid, Police Station- Sultanganj, Dist.- Patna
2.

Md. Samir Khan @ Sunny @ Md. Samir @ Sanni S/O Md. Noor Hasan Khan R/O Khan Mirza Gous Gali, Police Station- Sultanganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raj Krishna Jha, Advocate
For the Opposite Party/s	:	Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3

27-01-2026

Heard Mr.Raj Krishna Jha, learned counsel for the petitioners and Mr.Humayou Ahmad Khan, learned Additional Public Prosecutor for the State.

2. The petitioners seek bail, who are in custody since 30.07.2025 in connection with Sohsarai P.S. Case No. 318 of 2024, F.I.R. dated 23.12.2024 registered for the offence punishable under Sections 331(4) and 305(b) of BNS, 2023.

3. The FIR of the occurrence of theft is against unknown.

4. Learned counsel for the petitioners submits that the petitioners are not named in the FIR. The petitioners have been remanded in the present case from Sultanganj P.S.Case No.538/2024. Thereafter, the petitioners have confessed their



guilt in the present occurrence but nothing has been recovered from conscious possession or the house of the petitioners and till date no TIP has been conducted by the prosecution and except the aforesaid, no other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and the petitioners are in custody since 30.07.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners and submits that petitioner No.1 carries sixteen more cases and petitioner No.2 carries fifteen more cases other than the present one but fairly submits that the petitioners are on bail except Pirbahore P.S.Case No.837/2024, Pirbahore P.S.Case No.836/2024 and Ramkrishna Nagar P.S.Case No.783/2024, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid facts, petitioners are not named in the FIR, the name of the petitioners has been transpired during investigation on the basis of the self-confessional statement of the petitioners and till date no TIP has been conducted by the prosecution, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand)each with two sureties of the like



amount each to the satisfaction of learned Judicial Magistrate-
1st Class, Nalanda at Biharsharif in connection with Sohsarai
P.S. Case No. 318 of 2024, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

U		T	
---	--	---	--

