

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84628 of 2025**

Arising Out of PS. Case No.-629 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Md. Samir @ Sunni @ Mohammad Samir Khan S/O Md. Noorsahan Khan  
R/O Mohalla- Khan Mirza Gali, Police station- Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      05-01-2026                      Heard learned counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner seeks bail in connection with Laheri  
P.S. Case No. 629 of 2024 dated 23.12.2024 registered for the  
offence punishable under Section 309(6) of the B.N.S. Act.

3. As per the prosecution case, the informant has  
alleged that he along with his family members had gone out of  
town and he was subsequently informed that some persons have  
entered his house upon which he returned and saw that two  
persons are coming out from the house. When he tried to stop  
them, the accused person are alleged to have fired upon the  
informant and the others and thereafter, they managed to escape.  
It is further alleged that when the informant entered the house  
he saw that the lock of the three *almirahs* were broken and Rs.



40,000/- and jewellerys worth Rs. 25,00000/- were looted.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has surfaced on the confessional statement of co-accused. It has next been submitted that the petitioner was neither arrested at the spot nor any incriminating article has been recovered from his conscious possession. It has further been submitted that the petitioner has long list of criminal antecedents of similar nature and he has been falsely implicated at the behest of the police. It has next been submitted that till date, no T.I.P. has been conducted in order to verify the identity of the petitioner. It is lastly submitted that the petitioner is in custody since 13.08.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner and submitted that the petitioner has 14 criminal antecedents and he has been involved in similar nature of offences and as such, he should not be enlarged on bail.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif in connection with Laheri P.S. Case No. 629 of 2024, subject to the following terms



and conditions :-

(i) One of the bailors will be a close relative of the petitioner ;

(ii) the petitioner will remain present on each and every date fixed, if so required by the learned Trial Court ;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned ;

(iv) the trial court 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 trial court shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) the petitioner is directed to appear before the SSP, Nalanda at Bihar Sharif fortnightly to mark his attendance.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

**(Sourendra Pandey, J)**

Gautam/-

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