

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87080 of 2025

Arising Out of PS. Case No.-427 Year-2024 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Ful Mohammad, S/O Jumma Miyan, Resident of Village- Salaha, P.S-
Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. D Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sadar
P.S. Case No. 427 of 2024 dated 06.07.2024 instituted for the
offence punishable under Sections 334(1), 303(2), 324(5), 61(2) of
the Bhartiya Nyaya Sanhita, 2023.

3. As per the F.I.R., altogether Rs. 18,04,300/- was
stolen by unknown miscreants from ICICI Bank ATM and the
ATM was completely destroyed by putting the same on fire.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Learned counsel for the petitioner further submits that the
F.I.R. has been lodged against unknown person. During
investigation, one Rajesh Kumar was apprehended. The petitioner



has been made accused in this case only on the basis of confessional statement of co-accused Rajesh Kumar. Nothing has been recovered either from the conscious possession of the petitioner or from his house. It is further submitted that similarly situated co-accused person, namely, Mohammad Sattar has been granted bail vide order dated 03.02.2026 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 4734 of 2026. Lastly, it has been submitted that the petitioner is in custody since 29.03.2025 having two criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Case No. 427 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be



cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till conclusion of trial.

(Khatim Reza, J)

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