

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88252 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- ARIYARI District- Sheikhpura

Md. Hasnain Khan S/O Md. Hasim Khan R/O Village - Mohanpur, P.S-
Chandrapur, District - Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.
For the State : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Ariyari P.S. Case No. 69 of 2025 registered for the offences
punishable under Sections 310(2) of BNS.

3. As per prosecution case, On 28.05.2025 the
informant along with his cousin Amit Verma, was going on
scooty to his house after closing his jewellery shop and when
they reached the road leading to Ekryan and Kemra about 500
metres east of Diha village, suddenly eight unknown persons on
three motorcycles came and stopped the informant on the point
of pistol and asked him to hand over the money and mobile. It is
alleged that when same was protested, the accused persons
started assaulting the informant by means of slap and threatened



to shoot them, if they refused to give mobile and money. The informant got scared. Thereafter, the accused persons snatched mobile phone, Rs. 27,000/- kept in pocket, Rs. 2160/- kept in purse, AADHAR Card, Pan Card, Voter ID Card, paper of scooty as well as key of shop from the informant and Rs. 2500/-, key of shop as well as mobile from the pocket of Amit Verma. The informant claims that the accused persons were age group of 25-26 years and they were carrying katta in their hands. Hence, FIR has been registered against unknown.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner is not named in the FIR and his name transpired in this case upon the confessional statement of co-accused Sambhu Kumar and except the aforesaid confessional statement, there is nothing on record to connect the present petitioner with the alleged occurrence. He further submits that nothing has been recovered either from the house or conscious possession of the petitioner. He further submits that recovery has been made from the house of co-accused Sambhu Kumar, as mentioned in the impugned order. He further submits that no TIP has been done as yet. Petitioner



is in custody since 12.08.2025. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner bears criminal antecedent of one case in which he is on bail and in the said case, petitioner is not named in the FIR and his name has been surfaced during course of investigation. Petitioner has nothing to do with the alleged occurrence. In this way, petitioner deserves bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that though FIR has been lodged against unknown but during course of investigation name of petitioner has been surfaced upon the confessional statement of co-accused Sambhu Kumar. He further submits that there is recovery from the house of co-accused Sambhu Kumar and petitioner is one of the associates of the alleged crime and hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on



furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Sheikhpura in connection with Ariyari P.S. Case No. 69 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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