

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.117 of 2026

Arising Out of PS. Case No.-673 Year-2024 Thana- RAHUI District- Nalanda

Md. Samir @ Md. Samir Khan @ Sanni Son of Md. Noorhasan Khan
Resident of Village- Khanmirza Gaus, P.S.- Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seek regular bail in Rahui (Bhagan Bigha) P.S. Case No. 673 of 2024 dated 22-12-2024, registered under Sections 331(4) and 305(a) of the Bharatiya Nyaya Sanhita.

3. The allegation is of theft at the informant's house by unknown persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is not named in the FIR and has been arrayed as an accused merely on the basis of his criminal antecedents. It is submitted that no incriminating article has been recovered either from the



conscious possession or from the house of the petitioner and no Test Identification Parade (T.I.P.) has been conducted till date. It is further submitted that there is no cogent material on record to connect the petitioner with the alleged occurrence. It is also submitted that the petitioner's prayer for bail has been rejected by the learned court below only on the ground of his criminal antecedents. Lastly, it is submitted that the petitioner has been in custody since 04.08.2025 and has 13 criminal cases pending against him. The charge-sheet has already been submitted in the present case.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

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 CJM Nalanda at Biharsharif, in connection with Rahui P.S. Case No. 673 of 2024 subject to the following conditions: -(i) that the 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that 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 (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till conclusion of the trial.

7. The application stands allowed.

(Khatim Reza, J)

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