

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91468 of 2025

Arising Out of PS. Case No.-550 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Md. Rizwan @ Mohammad Rizwan S/O Sybezan @ Md. Sudjaad R/O
Village- Chhit Bhagwatipur, PS- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mithanpura P.S. Case No. 550 of 2023 lodged on 13.12.2023,
for the offence punishable under Sections 457 & 380 of the
Indian Penal Code and later on section 411 of the I.P.C has been
added.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner was earlier rejected *vide* order
dated 13.11.2024 passed in Cr. Misc. No. 52060 of 2024 with
liberty that he may renew his prayer for bail after one year from
the date of order. Counsel submits that one year has already
been lapsed on 13.11.2025 and this bail application has been
filed on 24.12.2025 i.e. after one year from the date of rejection
order dated 13.11.2024. Counsel submits that the criminal



antecedent of the petitioner is not clean as there are two cases pending against him, and in both the cases, he is on bail. Counsel also submits that the petitioner is in custody since 24.12.2023. Counsel further submits that on earlier occasion, report with regard to the present stage of trial was called for and from the said report, it transpires that out of five prosecution witnesses, three witnesses have been examined. The charge has already been framed against the accused persons on 05.07.2024 and presently, the case is running at the stage of prosecution evidence.

4. Learned APP for the State opposes the prayer for bail of the petitioner and submits that trial commenced and one year has been lapsed from the date of earlier rejection order dated 13.11.2024.

5. In the present facts and circumstances of this case, let the above named petitioner be released on bail, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Judicial Magistrate 1st Class (East), Court No. 17, Muzaffarpur in connection with Mithanpura P.S. Case No. 550 of 2023, subject to the conditions as laid down U/s 480(3) of the B.N.S.S., 2023, with the following further conditions:-



(A) At the time of furnishing the bail bond, the petitioner shall satisfy the Trial Court that he is not absconding in any of the cases pending against him whose details are mentioned below-

(i) Town P.S. Case No. 665 of 2018

(ii) Town P.S. Case No. 240 of 2015

(B) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(C) the petitioner shall appear before the Trial Court on each and every scheduled date, and failure to do so for three consecutive dates without any plausible reason/explanation shall be resulted into cancellation of his bail bonds by the Trial Court itself.

(D) the petitioner shall appear before the concerned police station for two years, within every fortnight, to mark his attendance.

(Dr. Anshuman, J)

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