

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91406 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- BARAUNI District- Begusarai

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Ankit Kumar S/o Rajaram Paswan Resident of Village- Bhawanandpur, Ward
No. 05, P.S.- Birpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prabhat

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 28-01-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Barauni P.S. Case No. 23 of 2025, registered for the offences punishable under Sections 334(1), 303(2) of the BNS and Section 27 of the Arms Act.

3. Allegedly in the night of 06.02.2025, a theft was committed in the shop of the informant by unknown 4-5 thieves, who took away the golden and silver jewellery worth Rs.4,50,000/-.

4. Learned Advocate for the petitioner submitted that the FIR has been instituted against unknown thieves and, later on, one Md. Firdaus was apprehended by the police and the name of the petitioner transpired on the confessional statement of Md. Firdaus. Save and except the confessional statement,



which is not admissible under the eyes of law, there is no cogent material suggesting the complicity of the petitioner in the crime. Neither the tower location of the petitioner's phone was found at the alleged place of occurrence nor he has been seen in any of the CCTV footage installed at or around the place of occurrence. Even during course of investigation, no incriminating material has been recovered from the whereabouts of the petitioner. However only on account of one criminal antecedent and he being one of the friend of co-accused Md. Firdaus, his name has been implicated in this case without there being any other material. The petitioner undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the apprehended person has disclosed the name of the petitioner as one of the associate who had participated in the crime.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that save and except the confessional statement, there is no other material suggesting the complicity of the petitioner in the crime, besides the submission advanced on behalf of the petitioner that neither the tower location of



petitioner's phone was found nor he has been seen in any of the CCTV installed at or around the place of occurrence, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai in connection with Barauni P.S. Case No. 23 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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