

COURT OF ADDL. SESSIONS JUDGE-II, -KATIHAR
P.O. ASUTOSH RAI
ACCUSED NAME- Sundar Khan
Barari P.S. Case No. 202/2025
Bail Petition No. 477 of 2026

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IN THE COURT OF ADDL. SESSIONS JUDGE-II DISTRICT-KATIHAR

(Bail Petition No. 477 of 2026)

In the matter of

1. Sundar Khan, aged about- 28 years, S/o Fazal Khan @ Fazlu Khan
R/O- Mohalla- Belagachhi, P.S.-Amdabad, Distt.- Katihar

-----Accused/Petitioner.

Vs

State of Bihar-----

-----Opposite Party.

Barari P.S. case No.-202/2025

U/S- 305, 331(4) of the B.N.S.

Learned advocate for Petitioner- Shri Pratik Sharma

Learned A.P.P. for the State- Shri Md. Ajaz Alam

ORDER

06-06-2026 This petition for regular bail has been filed on the behalf of the accused namely Sundar Khan who is in custody since 12.02.2026 in connection with Barari P.S. Case No. 202/2025 instituted U/S- 305, 331(4) of the B.N.S..

Heard the learned counsel Shri Pratik Sharma appearing on the behalf of the petitioners and learned A.P.P. Shri Md. Ajaz Alam appearing on the behalf of the State and perused the lower court record along with case diary.

As per written report prosecution case in nutshell is that informant to this case namely Simranjit Singh lodged a written report before SHO Barari to this effect that on 29.06.2025 in evening informant's brother-in-law informed him that on CCTV camera of his house has been shifted upwards and when the informant reached that house then he saw that lock of his gate is in broken condition and Rs. 4,50,000/- cash and 16 bhar gold ornaments and silver ornaments were missing. Informant has further alleged that after observing the CCTV footage it was found that three to four unknown persons have committed alleged occurrence.

It would be pertinent to mention here that on the basis of written report F.I.R. was registered against unknown persons and during the investigation accused namely Sanjay Yadav @ Fucho Yadav was arrested who made his confessional statement before police and told about involvement of present petitioner namely Sundar Khan in this alleged occurrence.

On the other side learned counsel for the petitioner has reiterated all the grounds taken in the bail petition and has submitted that the the petitioner is innocent and has not

committed the alleged offences. He has further submitted that from perusal of the F.I.R. it transpires that the petitioner is not named therein and the name of the petitioner has surfaced only from the alleged confessional statement of the co-accused. He has further submitted that the petitioner was not present at the place of occurrence and the residence of the petitioner situated approx 80 kilometers away from the place of occurrence. He has further submitted that no witness has disclosed or named the petitioner in connection with the alleged occurrence and there is no CCTV footage or any digital evidence against the petitioner in the alleged occurrence. He has further submitted that apart from the confessional statement, there is not a single relevant fact or any substantive piece of evidence against the petitioner. He has further submitted that petitioner has got one antecedent and he is in custody since 12.02.2026. Accordingly, prayer has been made to allow the bail petition.

Per contra, learned A.P.P. appearing for the state has opposed the prayer for bail.

Heard the both parties and perused the case record from perusal of the case record it is evident that petitioner is not named accused of the F.I.R. but his name in this case has been surfaced on the basis of confessional statement of other co-accused person but any incriminating articles has not been recovered from the possession of the petitioner. Moreover, co-accused Sanjay Yadav @ Fucho Yadav has already been granted bail by the Hon'ble High Court Patna vide order passed in Crim Misc. No. 1766/2026 and the case of present petitioner is on better footing and he is in custody since 12.02.2026 and police has already been submitted the charge-sheet against the petitioner.

So having consideration the above facts the bail petition is hereby allowed and it is ordered to release the petitioners namely Sundar Khan on bail on furnishing of bail bond of Rs. 10,000 with two sureties of the like amount each to the satisfaction of the court.

A.S.J.-II
Katihar

Date of Order	06.06.2026
Date of Reserving Order	N/A
Uploading Date	10.06.2026
Uploaded By	Prakash Kumar Singh, Steno D.A.S.J.-II, Katihar