

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39709 of 2020

Arising Out of PS. Case No.-88 Year-2019 Thana- SOHSARAI District- Nalanda

Subodh Rabidas @ Subodh Kumar, Male, aged about 35 years, Son of Late Muneshwar Rabidas, Resident of Village - Dumrawan, (Tetua @ Tetuabigha), P.S.- Asthawan, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Advocate
For the State : Mr.Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-03-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Sohsarai P.S. Case No. 88 of 2019 registered for the offence punishable under Section 395 of the Indian Penal Code.

The prosecution story in short is that informant of the case one Pinki Kumari gave her fardbeyan on 19.04.2019 before Sohsarai Police alleging therein that her husband Ranjit Kumar had gone for tuition and her elder son gone to school for taking bath in bathroom on tariff (Chhat). She was washing clothes at her house. Then two unknown boys came in her house and stated that police is behind him, gave him place to hide. Thereafter, three boys also came. All taken her in room and



demanding key of Almirah and turned the bed, on turning bed they got key of Almirah. One of them boy who wearing orange T-shirt opened the Almirah and took out ornaments, cash and two old mobile from locker. During this course, her younger son came started knocking the door then one boy pulled him in room, tried his legs and feet and locked him. The miscreants locking his son from out and fled away. After some time anyhow with the help of his younger son, she opened the window and raised alarm then nearby persons gathered and opened the room.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. and the F.I.R. is against five unknown miscreants. The petitioner is neither arrested on the spot nor any incriminating articles were recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 25.09.2019 and the petitioner has been implicated in the present case on the basis of confessional statement of co-accused Anuj Kumar Singh @ Tuktuk as well as Sajjan Kumar before the police. He further submits that similarly situated co-accused has been granted bail by this Co-ordinate Bench of this Court vide order dated 05.06.2020 passed in Cr. Misc. No.18232



of 2020 and the petitioner has six criminal antecedent mentioned in paragraph-3 of the bail petition.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda (Biharsharif) in connection with Sohsarai P.S. Case No. 88 of 2019.

(Anjani Kumar Sharan, J)

Nasimul/-

U		T	
---	--	---	--

