

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22169 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- RAFIGANJ District- Aurangabad

RAHUL KUMAR @ ANKUL KUMAR S/o Late Ashok Rajak R/o village-
Luka Garah, P.S.- Pauthu, District- Aurangabad (Bihar) Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 20-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Rafiganj
P.S. Case No. 13 of 2022 registered for the offence under
Sections 413 and 414 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and
is in custody since 13.01.2022.

The allegation against the petitioner is to be engaged
in habitual dealing in stolen property and assisting in
concealment of said stolen property.

Learned counsel appearing on behalf of the petitioner



submitted that the name of the petitioner surfaced on the basis of confessional statement of co-accused Sunil Kumar and in furtherance, thereof, nothing surfaced during the course of investigation which may connect the petitioner with alleged stolen property. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and he is neither purchaser nor seller of the alleged stolen property and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that recovery of alleged stolen property has not been made from the conscious physical possession of the petitioner, as per seizure list.

Considering the facts and circumstances as mentioned above, as no stolen property recovered from the physical possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rafiganj P.S. Case No. 13 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned C.J.M., Aurangabad/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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