

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19757 of 2023

Arising Out of PS. Case No.-859 Year-2022 Thana- KHAJANCHI HAT District- Purnia

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RAHUL SHARMA @ RAHUL KUMAR Son of Kamal Sharma Resident of
Village- Bodh Tola Rui Gola, Ward No.-42 near marriage hall PS mufasil
Rani Patra District- Purnia at present village - Bodhitola Bellauri, P.S. - Sadar
(M), District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikram Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 401, 413 and 414 of the
Indian Penal Code.

As per prosecution case, the informant got secret
information and reached Arabia college. It is stated that co-
accused Arshad Raza was driving the Toto Enfield and when
the informant said to show documents regarding the Toto,



thereafter co-accused Arshad Raza disclosed that the petitioner and co-accused Sunny Mahto have stolen the Toto and given it to him to sale its battery.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the alleged Toto, which is said to be stolen recovered from the co-accused Arshad Raza not from this petitioner. The name of the petitioner has come into light, on the basis of confessional statement of other co-accused, which has got no evidentiary value in the eyes of law. No incriminating/stolen article has recovered from the conscious possession of the petitioner. No T.I. Parade has been done. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 20.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned C.J.M.,
Purnia in connection with Khajanchi Hat P.S. Case No. 589 of
2022.

(Sunil Kumar Panwar, J)

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