

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37645 of 2022

Arising Out of PS. Case No.-662 Year-2021 Thana- BIHAR District- Nalanda

RAHUL KUMAR @ LADDU SON OF BABLU KUMAR R/O VILLAGE-
ASTHANNA, P.S.- SHEKHOPUR SARAI, DISTRICT- SHEKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Bihar P.S. Case No. 662 of 2021
(GR No. 5828 of 2021), for the offence registered
under Sections 341, 323, 420, 379, 386 and 34 of
the Indian Penal Code.

The allegation is regarding unknown
accused persons having abducted the informant
and thereafter they had snatched a sum of Rs.
1,50,000/- from the informant as also had made
him transfer a sum of Rs. 90,000/- by means of
mobile banking and then they had fled away.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 31.01.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in five other criminal cases but he is on bail in all the said cases. The learned counsel for the petitioner has also submitted that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any recovery of looted cash amount has been made from possession of the petitioner. Lastly, it is submitted that similarly situated co-accused persons have already been granted the privilege of bail by co-ordinate Benches of this Court vide orders dated 11.10.2022 and 11.01.2023, passed in Criminal Miscellaneous No. 70459 of 2021 and Criminal Miscellaneous No. 51771 of 2022.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by co-ordinate Benches of this Court, though I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to certain conditions on account of his bad antecedent.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Bihar P.S. Case No.662 of 2021.

It is further directed that the petitioner would mark his attendance before the concerned Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week, starting from the day he is released from custody and in



the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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