

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37714 of 2024

Arising Out of PS. Case No.-698 Year-2019 Thana- MAHUA District- Vaishali

Rahul Kumar S/O- Vijay Ray @ Vikram Rai R/O- village - Sadapur Dasrat
Chok PS- Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Mahua
P.S. Case No. 698 of 2019 instituted for the offence under
Sections 395 & 397 of the Indian Penal Code.

3. Prosecution case in short is that when the informant
was returning back in his Tata Ace vehicle loaded with several
articles, he was accosted with six miscreants. It is alleged that
one of the miscreants has fired upon the informant, but the
bullet hit on the side mirror of the vehicle. It is further alleged
that Rs. 90,000/- and articles worth Rs. 20,000/- along with
several documents of the informant was looted by the
miscreants.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-10-2023. Petitioner bears eight criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Manish Kumar Sahni, and the same has no evidentiary value in the eye of law. It is submitted that petitioner was not put on T.I. Parade. Nothing incriminating has been recovered from the possession of the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 51 and 52 of the case diary, it is submitted that co-accused, namely, Manish Kumar Sahni in his confessional statement has admitted the complicity of petitioner in the alleged offence. It is submitted that petitioner has fired, which hit on the side mirror of the vehicle. It is next submitted that eye witness has supported the prosecution case, which fact finds mention in paragraph No. 9 of the case diary.

7. Considering the aforesaid facts and circumstances



of the case, taking into account the involvement of the petitioner in this case, which is corroborated by materials available in the case diary, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is *rejected*.

9. The trial court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

