

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41794 of 2024

Arising Out of PS. Case No.-245 Year-2021 Thana- GARDANIBAG District- Patna

Rahul Kumar @ Rahul Sinha Son of Bipin Sinha R/O- Permanent Residing
At Dona, P.S.- Hishua, Distt.- Nawada, Present Residing At Ashok Nagar,
Kankarbagh, Road O. 8b, Near Geeta Devi Beside It Institute, P.S.-
Kankarbagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gardanibagh P.S. case No. 245 of 2021 instituted for the
offences under Sections 356, 379 of the Indian Penal Code.

3. Prosecution case, in short, is that an unknown
person looted the bag of the informant containing cash
amounting to Rs. 1,93,800/- and fled away.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement made by co-accused Manjit Singh @ Rishi Sadar. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted cash. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that charge-sheet has been submitted in this case and charge has also been framed against this petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.08.2022 and has six criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, charge-sheet already being submitted and charge already being framed against the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of



the like amount each to the satisfaction of Court below/concerned Court in connection with Gardanibagh P.S. case No. 245 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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