

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42631 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- RAHUI District- Nalanda

1. Aman Kumar S/o Surendra Prasad R/o Village-Baghan Bigha Near Punjab National bank, P.S.-Rahui (Baghan Bigha), District-Nalanda
2. Sumit Kumar S/o Late Sharban Ram @ Sharwan Ram R/o Village-Baghan Bigha Near Punjab National bank, P.S.-Rahui (Baghan Bigha), District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Adv
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Rahui P.S. Case No. 168 of 2024 dated 26.03.2024 registered for the offences punishable u/s 395, 397 of the Indian Penal Code.

3. As per the prosecution case, on 26.03.2023 the informant was sitting in his truck, in the meantime, seven miscreants came near the truck and out of them four miscreants entered the cabin and demanded the mobile phone of the informant. On being opposed, the accused persons snatched the purse, mobile phone and key of the truck. Further with the help



of local people two miscreants were caught and the rest managed to escape. On being inquired by police, they disclosed their name and also disclosed the name who fled away.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Similarly situated co-accused *Chhote Yadav* has already been granted bail by the co-ordinate bench of this court *vide* order dated 24.06.2024 passed in Cr. Misc. No. 41688 of 2024. There is general and omnibus allegation against the petitioners. No T.I.P has been conducted by the police. During investigation, one mobile phone has been recovered from the house of the petitioner no. 2 however, nothing has been recovered from the conscious possession of the petitioner no. 1. The petitioner no. 1 has two criminal antecedents and the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 28.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation and the period of custody, the petitioners above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty



Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nalanda, in connection with Rahui P.S. Case No. 168 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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