

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57390 of 2024**

Arising Out of PS. Case No.-92 Year-2024 Thana- SIMRI District- Darbhanga

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Rahul Kumar @ Rahul Das S/O Bechan Das R/O Village- Bastwara, P.S-  
Simri Bazar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Kanchan Jha, APP

For the Opposite Party/s : Mr. Mritunjay Kr. Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      21-08-2024                      Heard Mr. Kanchan Jha, learned Advocate for the  
  
petitioner and learned Additional Public Prosecutor for the  
  
State.

2. This is an application for grant of bail to the  
petitioner, who is in custody in connection with Simri Bazar  
P.S. Case No. 92 of 2024 registered for the offences punishable  
under Sections 457, 380, 511, 414 of the Indian Penal Code.

3. The allegation against the petitioner is of causing  
theft in the house of the informant. On the disclosure made by  
the informant that the petitioner is involved in the theft of  
mobile, the house of the petitioner was searched from where one  
mobile phone and charger was recovered.

4. Learned Advocate for the petitioner contended that  
the mobile phone and the charger which is said to have been



recovered from the house of the petitioner was a purchased one and moreover the present FIR is not preceding by any FIR/complaint with regard to theft of the mobile and as such no offence muchless under Section 414 of the Indian Penal Code is made out. It is next contended that be that as it may the petitioner is in custody since 10.05.2024 and the offences are triable by the Magistrate.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is complete and the chargesheet has been submitted, coupled with the fair antecedent of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 5,000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Darbhanga in connection with Simri Bazar P.S. Case No. 92 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

Anjani/-

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