

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59760 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- NEMDARGANJ District- Nawada

Rahul Kumar @ Chhotu Dharmendra Kumar @ Virendra Kumar Vil-l
Pangawa PS-Nemdarganj Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indradeo Prasad, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-09-2024 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nemdarganj P.S. Case No. 15 of 2024 dated 10.01.2024 registered for the offences punishable u/ss 406, 420, 120B and 379 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that the co-accused Munshi Rana gave him an offer that he can earn Rs. 1,30,000/- per month if he is willing to give his truck on rent to the co-accused Amar Jyoti. On. 24.12.2023, the informant and the co-accused Munshi Ram



reached Nawada, there the petitioner Rahul Kumar @ Chotu met him and he took them to the office where the co-accused Amar Jyoti, Purushottam Kumar and Gautam Kumar were present and the co-accused Amar Jyoti told him that as the court is closed so agreement cannot be done and asked him to leave his truck. Further, on 26.12.2023, as per the instruction of the co-accused persons the informant parked his vehicle near the petrol pump in Nawada, thereafter, on 31.12.2023, the informant sent his driver, Suraj Kumar Yadav for knowing the status of the agreement but the petitioner Rahul Kumar told him that the agreement could not be done and it will be done after new year, and took the keys of the vehicle. On 03.01.2024., when the informant's driver reached Nawada again, there he found his truck missing. When the informant tracked his truck through GPS, he found that it was in the office of the co-accused, Amar Jyoti after which the informant's driver contacted the petitioner, Rahul Kumar but proper explanation was not given by him. Further, the informant's driver has alleged that the co-accused persons have committed fraud with them and have stolen the said truck.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The petitioner was remanded in this case from Akbarpur P.S. Case no. 03/2024 after that the petitioner was made accused in another ten cases in the same year 2024. The occurrence took place on 03.01.2024 but the F.I.R. was lodged on 10.01.2024 after a delay of six days and there is no explanation for this delay. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 14.08.2024 passed in Cr. Misc. No. 53395 of 2024. The petitioner has 13 criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 12.03.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner 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, Nawada in connection with Nemdarganj P.S. Case No. 15 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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