

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59839 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- NEMDARGANJ District- Nawada

Rahul Kumar @ Chhotu Son of Dharmendra Kumarn @ Birendra Kumar
R/V- Village- Panchgawan, P.S.- Nemdarganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indradeo Prasad

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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

ORAL ORDER

3 26-10-2024 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. 02/2024 dated 06.01.2024 registered for the offence punishable u/s 406 and 420 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that two trucks were given to the petitioner for loading padding and the petitioner asked to park it in the petrol pump as strike was going on. When the informant called the petitioner, his drivers have reached petrol pump and they said that the two vehicles were not at the petrol pump then the informant



inquired about the vehicles then the petitioner replied that both the vehicles were in Serghatti. Further, when the informant reached Serghatti and called the petitioner to inquire about the vehicles, the petitioner disconnected the call and switched off his mobile phone.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has submitted that nine other criminal cases have been lodged against the petitioner in the same month and year for the same offence. The petitioner has 13 criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.04.2024.

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. 02/2024 , 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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