

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84871 of 2023

Arising Out of PS. Case No.-9 Year-2016 Thana- RAJGIR District- Nalanda

Subodh Kumar @ Subodh Ravidas Son Of Muneshwar Ravidas R/O Village-
Dumrawan Tetua Bigha, P.S.- Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

6 08-05-2024 Heard learned counsel for the petitioner and Ms. Renu
Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Rajgir
P.S. Case No. 09 of 2016 instituted for the offence under
Sections 399, 402 & 414 of the Indian Penal Code and Sections
25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that on secret
information police party raided the place of occurrence and on
search firearms and cartridges were recovered from them.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 14-06-2023. Petitioner
bears eight criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR and petitioner was not arrested on the spot. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Chotu Kumar and the same has no evidentiary value. Nothing has been recovered from the possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of petitioner's implication, this Court is inclined to grant bail to the petitioner.

8. 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 Rajgir P.S. Case No. 09 of 2016, 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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