

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3710 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- SUPPI District- Sitamarhi

Rahul Jha @ Rahul Kumar Jha @ Rahul Kumar S/o- Sanjay Jha Village-
Dostiya PS-Purnahiya Distt- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Suppi P.S. Case No. 166 of 2024 registered for the offences under Sections 109 of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, two miscreants opened indiscriminate firing on the shop of the informant while he was sitting in his shop. The name of the petitioner transpired during investigation for being involved in the said occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has no involvement in the said occurrence. F.I.R. has been lodged after delay of almost



24 hours for which there is no explanation. The petitioner has not been named in this case and his name came during investigation on the statement of user of a mobile number who stated that the petitioner used his hot-spot from his phone and made call to the informant of the case and demanded extortion money. There is no allegation that the petitioner was involved in firing upon the shop of the informant. Nothing incriminating has been recovered from the person or possession of this petitioner and he has no connection either with the mobile phone stated to be used in making extortion call or with the motorcycle which was used by the miscreants who opened fire. Petitioner was not involved in firing and never demanded any money from the informant. Petitioner is in custody since 05.10.2024 and charge-sheet has been submitted. Petitioner is having criminal antecedent of three cases and in two of the cases he is on bail and in one case he has acquitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material to connect the petitioner with the offence as alleged and further considering the period of custody



and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Sitamarhi /concerned court in connection with Suppi P.S. Case No. 166 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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