

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7063 of 2025

Arising Out of PS. Case No.-496 Year-2024 Thana- BUDDHACOLONY District- Patna

Rahul Kumar Son of Kanhai Rai Resident of Village- Khushalchak, P.S.-
Gaurichak, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 8004 of 2025

Arising Out of PS. Case No.-496 Year-2024 Thana- BUDDHACOLONY District- Patna

Rajveer Kumar Singh @ Rajveer Singh @chhotu Son of Randhir Singh @
Randhir kumar singh Resident of village -Chhoti Ghaushi, PS- Hilsa, District-
Nalanda.At present near Kabristan chakarawa,P.S -Budha colony,District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 16061 of 2025

Arising Out of PS. Case No.-496 Year-2024 Thana- BUDDHACOLONY District- Patna

Amit Kumar @ Balram S/O Late Dilip Kumar @ Dilip Rai Resident of
Mohalla- Chakaram, Police Station- Budha Colony, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 7063 of 2025)
For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 8004 of 2025)
For the Petitioner/s : Mr. Shashi Kant, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP
(In CRIMINAL MISCELLANEOUS No. 16061 of 2025)
For the Petitioner/s : Mr. Nirmal Kumar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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



ORAL ORDER

3 06-05-2025 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Budha Colony P.S. Case No. 496 of 2024, instituted for the offences punishable under Sections 316(2), 318(4), 338, 336(3), 303(2), 317(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioners were sitting in a car and on seeing the police party they tried to escape from that place but was arrested by the police. On search, various ATM cards, bank passbooks, cash and mobile phones were recovered from the possession of these petitioners. It is further alleged that the petitioners are involved in the ATM forgery.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners are in custody since 16.10.2024.

5. Learned counsel for the petitioner in Cr. Misc. No. 7063 of 2025 has submitted that the petitioner is driver of the said vehicle in question which was booked by the co-accused



persons. The petitioner has got no concern with the alleged recovery of ATM cards, mobile phones and other articles. It is further submitted that the petitioner has got no criminal antecedent.

6. Learned counsel for the petitioner in Cr. Misc. No. 8004 of 2025 has submitted that the petitioner is not the owner of the car in question. Only one Vivo mobile phone belongs to the petitioner which was recovered along with other articles. The petitioner has got no concern with the recovery of other articles as the articles have been recovered from the car and not from the possession of the petitioner. It is next submitted that the petitioner went with co-accused Amit Kumar for having tea and he was totally unaware of the fact that the recovered articles have been kept in the vehicle. It is further submitted that the petitioner has got one criminal antecedent in which he is on bail.

7. Learned counsel for the petitioner in Cr. Misc. No. 16061 of 2025 submits that there is no specific allegation levelled against the petitioner. The petitioner was sitting with other co-accused persons in a car and on the basis of suspicion he was made accused in this case along with other co-accused persons. It is next submitted that the recovered ATM card and passbook belongs to the petitioner and the same is in the name



of the petitioner. The petitioner has got no concern with the other recovery of articles. It is further submitted that the petitioner has got three criminal antecedents.

8. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submits that the petitioners were arrested on spot by the police and various ATM cards, mobile phones and other articles have been recovered from the possession of these petitioners. It is further submitted that there are specific allegations of forgery levelled against the petitioners. Hence, the petitioners do not deserve the privilege of bail.

9. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioners.

10. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of six months from the date of receipt/production, the petitioners will have liberty to renew their prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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