

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24179 of 2025

Arising Out of PS. Case No.-366 Year-2024 Thana- RAHUI District- Nalanda

Rajesh Kumar, aged about 26 years (Male), S/O Bittu Gope, Resident of Village- Nijam Bigha, P.S- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Nayan, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-08-2025 Heard Mr. Rajiv Nayan, learned counsel appearing on behalf of the petitioner and Mr. Anant Kumar 1, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Rahui P.S. Case No. 366 of 2024, registered for the offence punishable under Sections 309 (4) of the BNS.

3. As per the allegation made in the FIR, some unknown miscreants had snatched the motorcycle of the informant. FIR is against unknown.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has surfaced on the basis of confessional statement made by one co-accused Ranjeet Ranjan



@ Laloo Yadav in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner is not named in the FIR. Name of the petitioner has surfaced on the basis of confessional statement made by one co-accused Ranjeet Ranjan @ Laloo Yadav in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Bihar Sharif, Nalanda/ court concerned, in connection with Rahui P.S. Case No. 366 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.



8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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