

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25611 of 2025

Arising Out of PS. Case No.-205 Year-2024 Thana- KALYANPUR District- East Champaran

Rahul Kumar son of Raj Kumar sahani Resident of Village- Pundar, P.S.-
Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody since 27.08.2024 in a case
registered for an offence punishable under Sections 309(6) BNS.

3. As per the prosecution case, the informant gave his
written statement before Officer In-charge of Kalyanpur Police
Station that on 04.07.2024 when his nephew Ritesh Kumar
Sharma was on his way to office as soon as he reached at Semra
Bazaar over bridge, in the meantime, three miscreants riding on
motorcycle overtook him and snatched his motorcycle and
mobile phone on the point of knife and fled away from the place
of occurrence.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is not named in the FIR, infact, name of the petitioner has been surfaced on the basis of confessional statement of the co-accused, namely, Shivam Kumar. He next submits that no incriminating article has been recovered from the conscious possession of the petitioner. He next submits that investigation has already been concluded and chargesheet has been submitted but no TIP has been conducted during the investigation. Petitioner is in custody since 27.08.2024. He next submits that petitioner has got two criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submission of the learned counsel for the petitioner as well as the fact petitioner is not named in the FIR, infact, name of the petitioner has been surfaced on the basis of confessional statement of the co-accused, namely, Shivam Kumar and also the fact that no incriminating article has been recovered from the conscious possession of the petitioner, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the



like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with P.S. Case No.205 of 2024 with a condition that the petitioner shall physically present before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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