

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27742 of 2025

Arising Out of PS. Case No.-288 Year-2023 Thana- BARAULI District- Gopalganj

Rahul Kumar @ Mahendra Kumar @ Nanhaki S/o Ramesh Mahto Resident
of village - Salehpur, ps.- Mahamadpur, dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shyamli Kumari, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Barauli
P.S. Case No. 288 of 2023 instituted for the offences under
Sections 457, 380 of the Indian Penal Code.

3. Prosecution case, in short, is that, four unknown
miscreants entered the house of the informant, committed theft
of cash and ornaments and fled away.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of his self-confessional
statement recorded in connection with Barauli P.S. Case No. 292



of 2023. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen articles. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.12.2023 and has ten criminal antecedents. Other co-accused has been granted bail by this Court vide order dated 09-01-2025, passed in Cr. Misc. No. 90052 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, 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 Barauli P.S. Case No. 288 of 2023, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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