

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30569 of 2025**

Arising Out of PS. Case No.-73 Year-2024 Thana- ANDHRATHARHI District- Madhubani

Rahul Kumar @ Rahul Kumar Paswan Son of Rajendra Paswan Resident of  
Village - Andhra, P.S.- Andhratharhi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-05-2025                      Heard Mr. Arvind Kumar, learned counsel for the  
petitioner and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Andhratharhi P.S. Case No. 73 of 2024, F.I.R. dated 10.05.2024 registered for the offences punishable under Section 379 of the Indian Penal Code (under Section 303(2) of B.N.S.S. 2023).

3. The F.I.R. of the occurrence of theft is against unknown.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused



Amit Kumar Mandal and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of disclosure made by co-accused person, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Jhanjharpur, Madhubani in connection with Andhratharhi P.S. Case No. 73 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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