

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29793 of 2025

Arising Out of PS. Case No.-431 Year-2023 Thana- LALGANJ District- Vaishali

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Rahul Kumar @ Mental S/o Rambabu Rai, R/o Village- Saraiya, P.S.-
Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in a case in connection with Lalganj P.S. Case No. 431 of 2023 dated 14.12.2023, registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. As per the prosecution case, on 13.12.2023 at around 06:30 PM, the informant parked his motorcycle bearing registration no. BR06BD 7024 in front of a tea stall at Bedauli Chowk and later when he returned he did not find his motorcycle there. The motorcycle of informant was stolen away by unknown thief.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. Name of petitioner transpired in this case on the basis of confessional statement of co-accused person namely, Aman Kumar Patel. It is submitted that there is no specific allegation of any assault or overt act against the petitioner. No incriminating article has been recovered from the conscious possession or house of the petitioner. The motorcycle in question was recovered from a *gachhi* near Bypass Sabji Mandi, P.S.-Lalganj at the instance of co-accused Aman Kumar Patel. The petitioner has got two criminal antecedents and in both cases he is on bail as mentioned in paragraph no. 3 of the bail application.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioner, let the petitioner named-above, in the event of his arrest / surrender before the learned Court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Vaishali, in connection with **Lalganj P.S. Case No. 431 of 2023**, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, on further condition:

(i) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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