

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33127 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- NTPC KHAIRA District- Aurangabad

Rahul Chauhan @ Rahul Kumar S/o Lal Mohan Chauhan R/o Narayanpur,
P.S.- N.T.P.C., Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Adv
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with N.T.P.C. Khaira P.S. Case No. 2 of 2025 registered for the offences punishable under Sections 303(2) and 317(2) of the BNS.

3. The allegation against the petitioner is to found in possession of stolen PVC wire and also gas cutter machine.

4. Learned counsel appearing on behalf of the petitioner submitted that false implication



can be gathered from the fact that immediately after lodging of FIR, application was made before concerned Judicial Magistrate as to correct the seizure that no gas cutter was recovered from the house of this petitioner. It is submitted that house in question was occupied by different adult family members, where compliance of Section 103(4) of the BNSS also not appears followed, making entire search and seizure doubtful on its face. In view of aforesaid, it can be said safely that no recovery was made from the physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of PVC wire prima-facie not appears to made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed



to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Aurangabad/concerned Trial Court where the case is pending in connection with N.T.P.C. Khaira P.S. Case No. 2 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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