

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32075 of 2025

Arising out of PS. Case No.-490 Year-2024 Thana- SULTANGANJ District- Bhagalpur

Rahul Kumar, S/o Indrdev Yadav, R/vill.- Mirhatti, P.S.- Sultanganj, Dist.-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s: Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Sultanganj P.S. Case No. 490 of 2024 instituted for the offences under Section 310(2) of BNS and charge-sheet has been submitted under Sections 310(2), 317(3) of BNS Act and Sections 25(1-b)a and 26 of the Arms Act. He has no criminal antecedent.

3. The prosecution case is to the effect that on 18.10.2024 in the night at 00:45 accused persons entered into the house through the roof and it is alleged that on the gunpoint the accused persons took away Rs. 50,000/- cash and jewellery items, four mobile phones and other articles.

4. It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR and his name has sur-



faced in the confessional statement of co-accused. It is further submitted by learned counsel for the petitioner that no incriminating article has been recovered from the possession of the petitioner and barring the confessional statement there is nothing to connect the petitioner with the present incident. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 22.10.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that no recovery has been made from the possession of the petitioner and the petitioner has no criminal antecedent and is in custody since 22.10.2024, the petitioner above named, is directed to 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 the learned Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Sultanganj P.S. Case No. 490 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain



present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 the same or in the name of verification.

(Sourendra Pandey, J)

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