

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34030 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- SUGAULI District- East Champaran

Rahul Kumar @ Rahul Kumar Yadav @ Vidhayak Son of Lalbabu Yadav R/O
Village- Panapur Yogiya Tathawa Tola, P.S.- Harsidhi, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 358 of 2024, instituted for the offences punishable
under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, when the
informant was on his way along with his father on his
motorcycle, four unknown miscreants accosted them and looted
the motorcycle and mobile phone of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Vivekanandan Kumar and the same has got no evidentiary value. It is also submitted that no recovery of any looted article has been made from the possession of the petitioner. The petitioner is in custody since 27.01.2025 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 24.01.2025 passed in Cr. Misc. No. 3761 of 2025.

5. Learned APP 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, taking into account 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 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli P.S. Case



No. 358 of 2024.

Rajorshi/- **(Rudra Prakash Mishra, J)**

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