

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38259 of 2025**

Arising Out of PS. Case No.-149 Year-2025 Thana- JAHANABAD District- Jehanabad

Rahul Raj S/o- Ramdhari Singh RO Village- Mirganj PS-Shakurabad District-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Soni Kumari, Advocate

For the Opposite Party/s : Md.Shakir Ahmad, APP

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

2 23-06-2025 Heard Ms.Soni Kumari, learned counsel for the

petitioner and Md.Shakir Ahmad, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jehanabad P.S.Case No.149 of 2025, FIR dated 24.02.2025 registered for the offences punishable under Sections 305(2) of B.N.S. Act, 2023.

3. The FIR of the occurrence of theft is against unknown.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person,



namely, Mukund Kumar and it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from the house of co-accused person and petitioner has no concern at all with the alleged recovery of vehicle in question or the co-accused person and except the confessional statement of co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner, petitioner is not named in the FIR and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection with Jehanabad



P.S.Case No.149 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

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

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

(III) 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/her 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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