

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63807 of 2025

Arising Out of PS. Case No.-280 Year-2024 Thana- SAKURABAD District- Jehanabad

1. Rajnish @ Kishan Sharma @ Sadhu Sharma @ Rahul Sharma S/o Late Ashok Sharma R/o vill - Kaili, P.S.- Dhanarua, Distt.- Patna
2. Nandan Sharma @ Gopi S/o Late Ashok Sharma R/o vill - Kaili, P.S.- Dhanarua, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sessions Trial No. 151 of 2025 arising out of Shakurabad P.S. Case No. 280 of 2024 instituted for the offences under Sections 303(2), 317(3), 317(4) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the police has recovered two stolen mobile phones from the possession of the petitioner no.1 whereas three mobile phones and Rs. 2150/- were recovered from the possession of the petitioner no.2.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as



alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner no.1 has two criminal antecedents whereas petitioner no.2 has three criminal antecedents and are languishing in judicial custody since 30.10.2024 without any rhymes or reason. Learned counsel for the petitioners further submits that the charge-sheet has been submitted and the charge has also been framed in this case.

5. Learned counsel for the petitioners again submits that the co-accused namely Chandan Kumar has been granted bail by this Court vide order dated 05.03.2025 passed in Cr. Misc. No. 12709 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners,



let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial No. 151 of 2025 arising out of Shakurabad P.S. Case No. 280 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

