

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74367 of 2025**

Arising Out of PS. Case No.-48 Year-2024 Thana- RAHUI District- Nalanda

Amit Kumar S/o Dilip Mahto R/o Village - Pahsara, P.S - Navakothi, District
- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Junior Electric Engineer, Electric Supply Unit, Rahui, SBCDCL Ltd.
District - Nalanda Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anil Kumar Singh, Adv.
For the Opposite Party/s :	Mr. Umanath Mishra, APP
	Mr. Shrekant Sharan Singh, Adv.
	Mr. Vivek Prasad, Adv.

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

ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner, learned APP
for the State as also learned counsel for the O.P. No.2.

2. The petitioner seeks bail in connection with Rahui
P.S. Case No. 48 of 2024 lodged for the offence punishable
under Section 379 of the Indian Penal Code.

3. As per the prosecution story, the informant, who is
Junior Electrical Engineer of Electricity Department, Rahui,
Nalanda, alleged about stolen cable. Upon verification, it was
found that 13, 12 , 12 and 10 spans of AB cable from the 25



KVA transformer were removed causing loss of Rs. 2,45,000/-.

Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of confessional statement. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that in course of investigation, the police remanded the petitioner and other accused persons on the basis of other criminal cases lodged against them. The petitioner was arrested in connection with Rahui P.S. Case No. 141 of 2024 and, thereafter, *suo motu* the petitioner remanded in the present case. The petitioner has no concern with the alleged occurrence. The petitioner has eight criminal antecedents and is languishing in judicial custody since 23.06.2025 without any rhymes or reason. Learned counsel for the petitioner further submits that only because of criminal antecedents, he has been implicated again and again. Last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner would like to make payment of



Rs.25,000/- through Demand Draft issued by the local branch of the State Bank of India addressed to the Executive Electrical Engineer, Electric Supply Section, Rahui, Nalanda.

5. Learned counsel for the petitioner again submits that the co-accused persons have already been granted bail by a Co-ordinate Bench of this Court vide orders dated 22.10.2025 and 28.02.2025 passed in Cr. Misc. Nos. 74127 of 2024 and 87868 of 2024 respectively.

6. Learned APP and the learned counsel appearing on behalf of the O.P. No.2 vehemently opposed the prayer for bail of the petitioner.

7. Having heard learned counsel for the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also taking into account the undertaking being given by the petitioner to pay Rs. 25,000/-, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Nalanda, Biharsharif, in connection with Rahui P.S. Case No. 48 of 2024, subject to payment of Rs.



25,000/- through Demand Draft issued by the local branch of the State Bank of India addressed to the Executive Electrical Engineer, Electric Supply Section, Rahui, Nalanda, as also following conditions:

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

9. In case of non-compliance of any of the terms and



conditions stated herein above, the court below will be at liberty
to cancel the bail bond of the petitioner.

(Rudra Prakash Mishra, J)

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