

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73711 of 2025

Arising Out of PS. Case No.-824 Year-2022 Thana- BIHAR District- Nalanda

Ishwar Rabidash @ Md. Raja S/o Krishan Rabidash @ Md. Sakil @ Krishna Rabidash @ Krishna Das Resident of Village - Mahalpar (Kherabad), P.S - Bihar, District - Nalanda at Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. Learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 1 of the bail application in course of day.

3. The petitioner seeks bail in connection with Bihar P.S. Case No. 824 of 2022, instituted for the offences punishable under Sections 457(A) and 380 of the Indian Penal Code.

4. The prosecution case, in short, is that theft has been committed in the house of the informant while he was not present in his house.

5. 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 Md. Chhutu and the same has got no evidentiary value. It is further submitted that no recovery has been made from the possession of the petitioner. No T.I. parade has been conducted in this case. The petitioner is in custody since 17.06.2025 and has got seven criminal antecedents.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bihar P.S. Case No. 824 of 2022, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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