

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86397 of 2025

Arising Out of PS. Case No.-410 Year-2024 Thana- KESARIA District- East Champaran

Rahul Kumar S/o- Shiv Shankar Sahani @ Saral Sahni Resident of village-
Bhataha PS- Muffasil Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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

ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Kesariya
P.S. Case No. 410 of 2024 instituted for the offences under
Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that, three unknown
miscreants came on a motorcycle to the informant's gas
godown, threatened the informant at gun point, abused him and
fled away with Rs. 75,000/- cash, leaving behind their
motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner's name has surfaced in this case as being registered



owner of the seized motorcycle, which is used by co-accused person. Learned counsel submits that petitioner has given the motorcycle to his friend for some personal use and he has no concern with the alleged offence. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted articles. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that no any arms or pistol used in the alleged occurrence has been recovered from this petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.03.2025 and has four criminal antecedents. Other co-accused has been granted bail by this Court vide order dated 30-07-2025, passed in Cr. Misc. No. 47175 of 2025.

5. Learned A.P.P. 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 as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of



Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kesariya P.S. Case No. 410 of 2024, 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)

Raj Kishore/-

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