

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16408 of 2026

Arising Out of PS. Case No.-390 Year-2024 Thana- NADI P.S. District- Patna

Rahul Kumar @ Ramesh Kumar S/o Shivjee Prasad R/o Village - Sabalpur,
Gulmahiyachak, P.S - Nadi, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Nadi P.S. Case No. 390 of 2024 registered for the alleged offence under Sections 303(2), 317(2) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, co-accused Dilip Kumar was apprehended with stolen articles which was being carried in a carrier tempo. During investigation, the name of the petitioner surfaced for also being involved in the alleged theft.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The apprehended co-accused did not disclose the name of this petitioner rather his name came up in this case on the basis



of confessional statement of co-accused Ranjan Kumar and Sonu Kumar, who were apprehended in some other case. Nothing incriminating has been recovered from person or possession of this petitioner. The petitioner is not the owner of the tempo and no FIR has been lodged by any person regarding stolen article. Therefore, the alleged prosecution story appears to be concocted . The petitioner is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery of any incriminating article has been shown from the petitioner and also considering the clean antecedent of the petitioner and further considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna City/court concerned in connection with Nadi P.S. Case No. 390 of 2024, subject to the condition laid down under Section 482(2)



of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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