

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16720 of 2026

Arising Out of PS. Case No.-408 Year-2025 Thana- AGAMKUAN District- Patna

Rahul Kumar @ Maindi @ Golu Kumar Son of Late Janardhan Prasad
Resident of Mohalla- Kumhrar, Gowal Toli, Pucca Math, P.S.- Agam Kuan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Musowir, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-03-2026 Heard Md. Musowir, learned counsel for the

petitioner and Mr. Lalan Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.05.2025 in connection with Agam Kuan P.S. Case No. 408 of
2025, F.I.R. dated 20.05.2025 for the offences punishable under
Sections 303(2), 112, 317(2), 317(4) and 317(5) of the BNS,
2023.

3. According to prosecution case, this petitioner was
apprehended by the police along with one scooty which was
stolen one and two master keys were also recovered from his
possession which he used to commit theft.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the petitioner was apprehended along with the looted scooty and in fact, nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from the road side. He further submits that the petitioner has been made accused in the present case merely on the basis of suspicion. From perusal of the seizure list it appears that there is non-compliance of Section 103/105 of the BNSS, 2023 and the police personnel/home guard personnel were seizure witnesses in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.05.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries seven criminal antecedents other than the present one but fairly submits that he is on bail in six cases out of seven and one case is pending for consideration before the competent court of law.

6. Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate-IV, Patnacity, Patna in connection with Agam Kuan P.S. Case No. 408 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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