

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38852 of 2026

Arising Out of PS. Case No.-35 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Rahul Kumar @ Babua Done S/o Lakhindra Ray R/o Village- Bhawanidih,
P.S- Motipur ,District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr.Yugal Kishore, learned counsel for the
petitioner and Mr.Aditya Narayan Singh.1, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
12.01.2026 in connection with Motipur P.S. Case No. 35 of
2022, F.I.R. dated 27.01.2022 registered for the offence
punishable under Sections 394/397 of IPC and Section 27 of the
Arms Act.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. The name of the petitioner
has been transpired during investigation on the basis of the self-
confessional statement of the petitioner and except the
aforesaid, nothing has come during investigation against the



petitioner to suggest the involvement of the petitioner in the present occurrence and nothing has been recovered from conscious possession of the house of the petitioner and till date no TIP has been conducted by the prosecution and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 12.01.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has confessed his guilt in the present occurrence and apart from that, the petitioner carries four more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the self-confessional statement of the petitioner and till date no TIP has been conducted by the prosecution, 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 learned Chief Judicial Magistrate, Muzaffarpur in connection with Motipur P.S. Case No. 35 of 2022, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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