IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69883 of 2026

CNR No. BRHC011008682026

Arising Out of PS. Case No.-276 Year-2026 Thana- ARARIA District- Araria

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Rahul Kumar, son of Sri Mahendra Yadav, r/o Village- Kheriya Basti, Ward No.10, P.S- Araria Town, Distt.- Araria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 18-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Araria P.S. Case No.276 of 2026 dated 25.05.2026, instituted for the offence punishable under Sections 309(4) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution story, in brief, is that on the alleged date of occurrence in the night while returning to his in-laws' house on a motorcycle from the grocery shop, the informant was intercepted near Arg Hotel on NH-27 by three persons riding a Splendor motorcycle. Two of them, armed with a knife and a firearm, threatened him and attempted to snatch his motorcycle. Out of fear, he handed over his wallet containing Rs. 1,500/- and

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a scanned copy of his Aadhar Card. On seeing the headlights of an approaching four-wheeler, the assailants attempted to flee away. During the chase, their motorcycle fell down, and two accused, namely, Rahul Kumar and Subodh Kumar, were apprehended by passer-by and the police, while the third accused, Rakesh Kumar @ Tapesh Kumar @ Tapa, escaped with the wallet. The police recovered a knife and seized the motorcycle from Rahul Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As per the allegation, two persons were apprehended on the spot including the petitioner. It is further submitted that nothing incriminating articles have been recovered from the possession of the petitioner. It is further submitted that the motorcycle used in the said crime belongs to the co-accused Subodh Kumar, who has been granted bail by a co-ordinate Bench of this Court vide order dated 09.09.2026 passed in Cr. Misc. No. 65186 of 2026. It is further submitted that the another accused person, namely, Rakesh Kumar @ Tapesh Kumar @ Tappa @ Tapa has also been granted bail by the co-ordinate Bench of this Court vide order dated 19.09.2026 passed in Cr. Misc. No. 66115 of 2026. Lastly, it is submitted that the

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petitioner is in custody since 25.05.2026 having four criminal cases against him.

5. Learned APP has opposed the prayer for bail and submitted that the petitioner was apprehended on the spot and he has accepted his involvement in his confessional statement.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in Araria PS Case No.276 of 2026, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the

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petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and (v) that the petitioner within two weeks from the date of his release from custody shall appear before the SHO of his local area along with a copy of this order and thereafter shall appear before him every fortnightly to mark his attendance till the framing of charge in the case by the trial Court

7. The application stands allowed.

(Khatim Reza, J)

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