

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82253 of 2025

Arising Out of PS. Case No.-169 Year-2025 Thana- BARHIYA District- Lakhisarai

Raj Kumar Son of Late Virendra Prasad R/o Village - Amawa, P.S.- Bind,
District - Nalanda, Bihar - 803107.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr. Anuj Kumar, learned counsel for the
petitioner and Mr. Shailendra Kumar, learned APP for the State.

2. The petitioner seeks bail, who is in custody since
23.08.2025 in connection with Barahiya P.S. Case No. 169 of
2025, F.I.R. dated 21.08.2025 for the offences punishable under
Section 303(2) of the B.N.S.

3. According to prosecution case, petitioner and other
co-accused person are alleged to have committed theft of truck
of the informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. Learned counsel further submits that the allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR and the



petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation and the petitioner was apprehended along with truck in question and he along with co-accused Rohit Kumar was present in the truck in question. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.08.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of bail petition that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent and there is no specific allegation of any assault or overt act attributed against the petitioner, 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 District & Additional Sessions Judge-II, Lakhisarai in connection with Barahiya P.S. Case No. 169 of 2025, 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 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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