

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80939 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- CHACKMEHSI District- Samastipur

Rahul Kumar Son of Sanjay Sahni Residents of village- Maheshpur Ward No. 4, Police Station- Hattha, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Chakmehsi P.S. Case No. 122 of 2025, instituted for the offences under Section 309(6) of the Bharatiya Nyaya Sanhita, 2023 and u/s 27 of the Arms Act.

3. Prosecution case, in short, is that four miscreants looted Rs. 1,20,000/-, on gun point, from the CSP and after that they fled away.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case only on the basis of suspicion. The petitioner is not named in the F.I.R. He further submitted that the name of the petitioner has been surfaced in this case only on the basis of confessional statement



of co-accused Jitendra Kumar @ Tika, which has no evidentiary value. He further submitted that the alleged recovered mobile belongs to the petitioner. He further submitted that except the allegation of facilitating other co-accused in the occurrence nothing has been found against the petitioner. The injury of fire arms is to be found simple in nature. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen article. Learned counsel further submitted that T.I.P. has not been conducted till date to ascertain the involvement of the petitioner in the alleged offence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.08.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chakmehsi P.S. Case No. 122 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner’s own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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