

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 89241 of 2025**

Arising Out of PS. Case No.-191 Year-2025 Thana- NAWADA District- Nawada

Rahul Kumar Son of Ajay Singh Resident of Village- Mirjapur, P.S. and District- Nawada

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      12-01-2026                      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Nawada Town P.S. Case No. 191 of 2025 registered for the offences punishable under Sections 331(4) and 305(B) of the B.N.S.

3. As per prosecution case, the informant has alleged that 3–4 unknown miscreants broke open the locker and almirah in his residential premises and committed theft, during which they took away gold and silver ornaments as well as cash amounting to ₹6,00,000/-.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in this case. It is further submitted that the FIR has been lodged



against unknown and during the course of investigation the name of the petitioner surfaced on the confessional statement of co-accused, Golu Kumar and except the aforesaid confessional statement of co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating material has been recovered from the possession of the petitioner. The petitioner is in custody since 21.07.2025 and till today no TIP has been conducted. Apart from that petitioner bears criminal antecedent of six cases in which he is already on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. On similar and identical allegation co-accused Rahul Kumar has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 85531 of 2025 and other co-accused Karan Kumar @ Karan Vishwakarma has also been granted bail vide Cr. Misc. No. 70195 of 2025 and on the principle of parity the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner as his name has been surfaced during the course of investigation on the confessional statement of co-accused Golu Kumar. Hence, he



does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, on similar and identical allegation co-accused persons have already been granted bail, nothing has been recovered from his possession, TIP has not been conducted, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Nawada Town P.S. Case No. 191 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on each and every date without fail and absence on any date without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail-bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

**(Alok Kumar Pandey, J)**

Nilmani/-

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