

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91249 of 2025

Arising Out of PS. Case No.-202 Year-2025 Thana- SACHIVALAYA District- Patna

Rahul Kumar, S/o Late Saryug Ram, Resident of- Raj Bhawan Campus,
Block- D-302, P.S.- Sachivalaya, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Sachivalaya P.S. Case No. 202 of 2025 registered for the offences punishable under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that while he had gone for a walk, two persons on a bike snatched away his mobile.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been dragged into the present



case on confessional statement of a co-accused. It has further been submitted that the petitioner carries five criminal antecedents of similar nature and it is on account of his criminal antecedents that he has falsely been implicated in this case. It has next been submitted that no recovery is said to have been made from the conscious possession of the petitioner. It has also been submitted that in fact the petitioner has been taken on remand in the four cases of Sachivalaya P.S. after he has been implicated in the present case. It has lastly submitted that the petitioner is in custody since 16.10.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that the petitioner is involved in similar kind of crime and hence he should not be released on bail.

6. Considering the aforesaid submissions made by the parties, 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 court below where the case is pending/successor court in connection with Sachivalaya P.S. Case No. 202 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local



resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Senior Superintendent of Police, Patna within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.



7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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