

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78336 of 2023**

Arising Out of PS. Case No.-397 Year-2023 Thana- RAXAUL District- East Champaran

RAKESH SHEIKH @ RAKESH SK SON OF ABDUL HADDI RESIDENT
OF VILLAGE - KAPASH DAGA, P.S. - PURV PARA, DISTRICT -
MURSHIDABAAD (WEST BENGAL)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 420, 467, 468, 471, 414
of the Indian Penal Code.

3. As per prosecution case, there has been recovery of
about 12 Kg Mobile Accessories E-scraper (broke mobile parts)
from the petitioner and objectionable photo of anti-social slogan
from his mobile.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. He submitted that there was situation of pandemonium and stampede at the time of chase of the offender, who succeeded in making good escape, and the petitioner, while crossing the road at the very point of time, appears to have fallen prey to the tragic circumstances, and was apprehended on suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that the petitioner has neither cheated anyone nor he has prepared any forged and fabricated document. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 30.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned S.D.J.M., Raxaul at Motihari, East
Champan in connection with Raxaul P.S. Case No. 397 of
2023.

(Sunil Kumar Panwar, J)

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