

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12190 of 2024

Arising Out of PS. Case No.-724 Year-2018 Thana- SITAMARHI District- Sitamarhi

Rakesh Kumar @ Rakesh Rai @ Rakesh Yadav Son of Suresh Ray Resident
of Village- Behind of R.D. Pailesh, Indra Nagar, Ward No. 18, P.s.- sitamarhi,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Singh, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case No. 724 of 2018 dated registered for the offences punishable u/ss 386, 387, 506, 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant's brother received a call, the caller introduced his name as Rakesh Yadav (petitioner) and demanded money from him. The petitioner also told that he fired in the Batika two days before. It is further alleged that the money was demanded by the accused persons on mobile and also threat to face dire consequences.



Previously, the informant's cousin brother was shot dead by the miscreants due to non-fulfillment of demand of rangdari.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case merely on suspicion. Learned counsel has further submitted that no money was demanded by the petitioner. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. Learned counsel for the petitioner has filed a petition (kept on record) regarding the criminal antecedent of the petitioner and stated that the petitioner has twelve criminal antecedents and he is on bail in all the cases. The petitioner is in custody since 06.09.2019.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sitamarhi P.S. Case



No. 724 of 2018 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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