

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53261 of 2024**

Arising Out of PS. Case No.-253 Year-2024 Thana- BUDDHACOLONY District- Patna

RAJMANI KUMAR @ RAJ CHITRAKAR S/O LATE RAM BABU YADAV  
@ LATE RAM BABU PRASAD R/O VILLAGE- SABALPUR, P.S-  
CHANDAI, DISTT.- NALANDA. PRESENT ADDRESS RESIDENT OF  
FLAT NO.- 309, 3RD FLOOR, SUMATI PALACE, BORING ROAD, P.S-  
BUDDHA COLONY, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shivnandan Bharti, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      07-08-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with  
Budha Colony P.S. Case No. 253 of 2024 dated 17.05.2024  
registered for the offence(s) punishable under Section(s) 354B,  
504 and 506 of the I.P.C.

3. Mr. Shivnandan Bharti, learned counsel for the  
petitioner submits the alleged offences under which the F.I.R.  
has been registered are triable by the court of Judicial  
Magistrate, 1<sup>st</sup> class and the principle laid down by the Hon'ble  
Apex Court in the case of *Arnesh Kumar v. The State of Bihar*  
rendered in *Cr. Appeal No. 1277 of 2014* was not followed by  
the police while arresting the petitioner and as per allegation,



the petitioner who happens to be owner of RFS Coaching Institute, simply took the victim in his room except that, there is no allegation of either any misbehaving or disrobing her. However, he has been sufficiently punished for his wrong as he has been languishing in jail since 19.05.2024. It is further submitted that against the petitioner there is criminal antecedent of three cases but he is on bail in all the said cases.

4. Mr. Narendra Kumar Singh, learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner’s custody period and also the fact that the alleged offences are triable by the court of Judicial Magistrate, 1<sup>st</sup> class, in my opinion, the petitioner deserves to be released on bail. Accordingly, let the petitioner named-above be released on bail in connection with Budha Colony P.S. Case No. 253 of 2024 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

BKS/-

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