

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4345 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- BAJPATI District- Sitamarhi

Rakesh Mukhiya S/O Chintan Mukhiya Resident of village- Madhopur
Chaturi, Saura, P.S- Bajpatti, District- Sitamarahi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bajpatti P.S. Case No. 141 of 2024 instituted for the offence
under Sections 380, 414 & 511 of the Indian Penal Code

3. Prosecution case in a nutshell is that informant was
taking rest in his room, in the meantime, petitioner entered into
his house and took his wallet and mobile. On ruckus, petitioner
was apprehended.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-05-2024. Petitioner
bears five criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. It is next submitted that petitioner and informant are of the same village residing in the same vicinity and there was a previous enmity between both parties regarding money transaction. Petitioner has become the victim of the circumstances. It is alleged that mobile and wallet of the informant has been recovered from the petitioner's possession, but the same is planted. It is lastly submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bajpatti P.S. Case No. 141 of 2024, subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

