

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5601 of 2025

Arising Out of PS. Case No.-408 Year-2024 Thana- KOILWAR District- Bhojpur

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1. Sachin Kumar S/o Bunnilal R/o vill - Panch Rukhiya Kala, P.S. - Koelwar, Distt. - Bhojpur
 2. Rakshit Kumar @ Rachit Kumar Yadav S/o Suresh Prasad R/o vill - Koelwar, ward no. 14, P.S. - Koelwar, Distt.- Bhojpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Upendra Prasad Singh, Advocate
For the State : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Koelwar PS. Case No.408 of 2024, registered for the offences punishable under Sections 191(2), 126(2), 127(2), 115(2), 109, 121(1), 121(2), 132, 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023

3. As per allegation, Rachit Kumar Yadav and the accused/persons were creating ruckus and when the police party reached the place of occurrence they fled away.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioners were not present at the place of occurrence and their names have been roped in in this case only on the basis of suspicion.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly case and counter case and injury from both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Arrah, in connection with Koelwar PS. Case No.408 of 2024, subject to the conditions as laid down under Section 438 (2)



Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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