

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5556 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- BAKHARI District- Begusarai

Rajesh Kumar Thakur @ Rajesh Thakur Son of Shyam Thakur Village-
Matihani Ward no.2, P.S- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bakhari P.S. Case No. 302 of 2024, registered for the offences under Sections 111(3), 313, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-b) (a)/26/35 of the Arms Act.

3. As per the prosecution case, the petitioner and other co-accused persons were apprehended on secret information that they have been making plan for committing robbery. From the possession of this petitioner, recovery of a one live cartridge and two mobile phones were made. From other apprehended co-accused persons, motorcycle, mobile phones, folding knife and country made *katta* loaded with live



cartridge was recovered.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioner. The motorcycle, folding knife and the mobile phone recovered from the spot belong to co-accused and recovery of country made katta has been shown from the co-accused Dinesh Kumar who has already been granted bail by this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 82329 of 2024. Co-accused Praveen Kumar Soni has been granted bail by this Court vide order dated 10.01.2025 passed in Cr. Miscellaneous No. 88322 of 2024. The petitioner is in custody since 03.08.2024 and the charge sheet has been submitted. The petitioner is having criminal antecedent of 3 cases and he is on bail in all the cases.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge sheet against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai/concerned court, in connection with Bakhari P.S. Case No. 302 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

Anuradha/-

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(Arun Kumar Jha, J)

