

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4370 of 2025

Arising Out of PS. Case No.-185 Year-2024 Thana- JAMUI District- Jamui

Rahul Rajak @ Rahul Kumar S/O Upendra Rajak R/O Vill.- Satgama, P.S.-
Jamui, Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits that petitioner had earlier moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 59167 of 2024 and the same was allowed by a order dated 19.08.2024, but then the petitioner could not furnish his bail bonds in time, as such he filed modification application being Criminal Miscellaneous No. 86928 of 2024 and the same was permitted to be withdrawn by an order dated 13.12.2024 with liberty to the petitioner to file a fresh anticipatory bail application, accordingly the instant anticipatory bail application has been filed.

3. It is next submitted that petitioner has antecedent of one case and the informant alleges that police received



information that in village Satgama a fight had taken place in between the two communities accordingly, the police reached the place of occurrence where accused persons including the petitioner had assembled from before and they started abusing the police and even pelted stones in which police personnels were injured and on breath analyzer report, maximum people in the crowd were found in a drunken condition and the accused persons came to be identified based on video clips.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot as such it cannot be alleged that he was in a drunken condition. It is also submitted that since an occurrence had taken place and the petitioner resides nearby, as such, he also went to the place of occurrence on hearing that a fight has taken place when police came and as such it appears that the petitioner also came to be implicated based on his presence at the place of occurrence in the video clip.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court



within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jamui P.S. Case No. 185 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than one case in that event the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of only one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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