

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18561 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- BELAGANJ District- Gaya

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Rakesh Kumar Son of Suryadev Prasad @ Suraj Dev Village- Dalelchak, P.O-
Bhindaspur, P.S-Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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

ORAL ORDER

3 07-05-2025 Heard learned counsel for the petitioner and learned

APP for the State. Perused the case diary called for in Cr. Misc.

No. 16481 of 2025.

2. The petitioner seeks bail in connection with
Belaganj P.S. Case No. 24 of 2025 instituted for the offences
under Sections 111, 303(2), 317(2), 109, 132 and 3(5) of the
Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accused persons
including the petitioner are accused of illegal sand mining. It is
alleged that when the Informant reached at the spot with the
police force for raid, an attempt was made to kill the police
force by driving a tractor over them. The petitioner was found
doing recce on a motorcycle.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is neither driver nor owner of the alleged motorcycle and was not recceing the alleged crime. He further submits that in the occurrence, no one sustained any injury. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence and has been made accused in this case only on the basis of suspicion. Except suspicion, there is nothing adverse against the petitioner to implicate him in the present case. The petitioner has no criminal antecedent and is languishing in judicial custody since 14.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Belaganj P.S. Case No. 24 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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