

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22343 of 2025

Arising Out of PS. Case No.-46 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Rakesh Kumar @ Rakesh Kumar Yadav S/O Jagdev Yadav R/O Village-
Nabtola, P.S- Phulparas, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Mr. Dr. Indivar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bairav Asthan P.S. Case No. 46/2023 dated 01.04.2023 registered for the offence punishable u/s 392 of the Indian Penal Code.

3. As per the prosecution case, three unknown miscreants riding on a motorcycle intercepted the motorcycle of the informant and looted the motorcycle, mobile phone and purse of the informant on the point of pistol.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Kirandeo Kumar. The other co-accused person has already been granted bail by this Court *vide* order dated 20.09.2024 passed in Cr. Misc. No. 49022/2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhubani in connection with Bairav Asthan P.S. Case No. 46/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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