

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30863 of 2025

Arising Out of PS. Case No.-183 Year-2024 Thana- SARAI District- Vaishali

Rakesh Kumar Sharma @ Rakesh Kumar S/o Ramanand Sharma R/o Village-
Enayetpur Parbodhi, P.S.- Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-05-2025 Heard Mr. Yugal Kishore, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Sarai P.S. Case No. 183 of 2024 for the offence under sections 191(2), 126(2), 132, 324, 126 of the B.N.S., and section 3(2)a of Damage of Public Property Act, lodged on 21.08.2024 by the informant, Ranjeet Paswan.

3. As per the prosecution story, the informant alleged that there was an accident near N.H. 22 Toll Plaza, the injured was sent to hospital but the petitioner and unknown persons blocked the road and resorted to burning of tyres as also damaging the road/Government property. This led to the FIR.

4. Learned counsel for the petitioner submits that he went there only to take the injured to the hospital, under



confusion, the name has come, he is ready to diligently appear in trial. He further submits that without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he intends to contribute Rs. 2,000/- to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer submitting that he tried to block the road along with other locals.

6. Taking into account the submissions of the parties as also that now the FIR is there against him, he shall be facing the trial, though it is unfortunate that post accident, the locals try to damage the vehicle/Government vehicle/Government property, an undertaking has been given that he shall be diligently appear in the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to payment of Rs. 2,000/- to the Chief Minister's Relief Fund through Demand Draft and the receipt be submitted to the learned trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Hajipur in connection with Sarai



P.S. Case No.183 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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