

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32919 of 2025

Arising Out of PS. Case No.-86 Year-2024 Thana- SIMULTALLA District- Jamui

Rajesh Yadav @ Rajesh Kumar Son of Late Arjun Yadav Village- Fatehpur,
P.S.- Simultalla, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devika Rani, Adv

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner makes a prayer for grant of regular bail in a case registered for the offences punishable under Sections 126 (2), 115 (2), 308(3), 308(4), 352 and 351(2) of BNSS and section 341, 323, 385, 387, 504 and 506 of the Indian Penal Code.

3. The allegation in the FIR, is that while the informant was returning to his house on his motorcycle, the petitioner along with other co-accused persons arrived there on Scorpio vehicle and started to abuse and assault the informant on account of *rangdari* demand of Rs. 50,000/-. It is alleged that upon refusal of the informant to pay, he was assaulted by means of rod and was also threatened of dire consequences.



4. Learned counsel for the petitioner submits that the allegation made in the FIR are general and omnibus in nature against the petitioner and some other unknown persons and to some extent specific allegation with regard to threatening. It has further been submitted during the course of investigation, the petitioner was arrested and his confessional statement was recorded. It would also appear that except some of the interested witnesses, no one has supported the prosecution case. Further it has also been contended that as against the allegation of assault, the informant has not sustained any injury on his body nor has he got himself medically treated anywhere. There is not a chit of paper on record to show that the informant sustained any injury on his body.

5. Learned counsel for the petitioner also submits that there is a delay of three days in lodging of the FIR although no explanation has been tendered for such delay as the date of occurrence is 22.10.2024 but the matter was reported on 25.10.2024. It has further been submitted that the petitioner is in custody since 06.01.2025 and charge sheet has been submitted.

6. The learned APP opposes the prayer for bail on the ground that the petitioner has several criminal antecedents. In response to the same, it has been submitted that petitioner is on



bail in all the said cases.

7. Considering the aforesaid facts and circumstances of the case, let the above name petitioner shall be enlarged on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Simultalla P.S. Case No. 86 of 2024, subject to the following conditions:-

(i) One of the bailors shall be a relative / close member of the family of the petitioner.

(ii) The petitioner shall co-operate in the trial till its conclusion and he will remain present on each and every date till the charges are framed. In case of default in such appearance on two consecutive dates without any reasonable cause, the trial Court will have liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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