

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38049 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- SHRIKRISHNAPURI District- Patna

Rakesh Kumar @ Rakesh Kumar Yadav Son of Ram Shresth Rai Resident of
Village- Thumha (Thuma), P.S.- Runnisaidpur, P.S.- Runnisaidpur, District-
Sitamarhi. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Krishna Puri P.S. Case no. 257 of 2024 instituted for the offence under Sections 126(2), 115(2), 110, 352, 3 (5) of Bhartiya Nyaya Sanhita.

3. The case of the prosecution is that the occurrence took place out of road rage issues in which petitioner along with other assaulted the informant causing head and bodily injury.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that from perusal of the FIR, it is clear that the informant has stated that he does not identify any of the accused persons but he can identify them but the petitioner was not put on Test Identification Parade (TIP). It is also submitted that the name of



the petitioner has surfaced on the basis of the confessional statement of co-accused, namely, Jogendra Kumar, the owner of the vehicle. Further submission is that the said co-accused, Jogendra Kumar has been extended the benefit of bail vide order dated 16.04.2025 passed in Cr. Misc. No. 18015 of 2025. The case of the petitioner stands on better footing.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Krishna Puri P.S. Case no. 257 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna subject to the conditions as laid down under section 482(2) of the BNSS.

(Ashok Kumar Pandey, J)

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