

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39869 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- BARAHAT District- Banka

Rinkesh Kumar Son of Prabhash Yadav R/O Village- Mirzapur, P.S.- Barahat,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Priyanka Singh, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barahat P.S. Case No. 28 of 2025, instituted for the offences punishable under Sections 317(5), 318(4), 338, 336(3), 336(4), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons were arrested by the police with two stolen motorcycles and when valid documents were demanded regarding the motorcycles, they failed to produce any valid documents for the same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. No specific allegation has been attributed against the petitioner. The confessional statement of the petitioner recorded before the police has no evidentiary value in the eye of law. No Test Identification Parade has been conducted to identify the petitioner in the alleged occurrence. It is further submitted that no any FIR has been made for the stolen motorcycles. The petitioner is in custody since 24.01.2025 and has got no criminal antecedent.

5. Learned counsel for the petitioner again submits that the co-accused namely Gangadhar Kumar has been granted bail by this Court vide order dated 19.06.2025 passed in Cr. Misc. No. 37081 of 2025.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner as also the prayer for bail being based on parity, this Court is inclined to grant bail to the



petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barahat P.S. Case No. 28 of 2025.

(Rudra Prakash Mishra, J)

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