

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38258 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- PHULWARIA District- Begusarai

Rakesh Kumar @ Rakesh Yadav S/o Raj Kumar Ydav R/O Village- Bihpur
,ward no- 8, Bihpur, Naugachhiya, Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Tapeshwar Sharma

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

ORAL ORDER

2 14-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Phulwaria P.S. Case No. 01 of 2025 dated 02.01.2025 registered for the offences punishable u/ss 309(6), 311, 111(1), 317(3) of the B.N.S. and Section 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the petitioner along with the other co-accused persons used to sell vehicles illegally at high price after looting the same from their drivers and owners. It is further alleged that the petitioner and the co-accused persons were apprehended on the spot by police. On search, one country made pistol, one live cartridge and a mobile phone were recovered from the possession of the co-accused person and a mobile phone was also



recovered from the possession of the petitioner.

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 has no concern with the alleged recovery. The co-accused person has already been granted bail by this court vide order dated 21.04.2025 passed in Cr. Misc. No. 18025/2025. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.01.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Phulwaria P.S. Case No. 01 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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