

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38280 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- HARLAKHI District- Madhubani

Rishi Kumar S/o Ashok Sah Resident of Village- Basopatti, P.S.- Basopatti,
Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

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

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

ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Harlakhi P.S. Case No. 62 of 2025, instituted for the offences punishable under Sections 191(2), 190, 329(4), 126, 115(2), 324(1) of the Bharatiya Nyaya Sanhita, 2023 and read with Section 25(1-B)(a) of the Arms Act.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons abused informant's brother and disrobed his mother. It is further alleged that there is recovery of two motorcycles from which one country made pistol and one knife have been recovered. The petitioner was apprehended on spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this 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 not specific rather the same is general and omnibus in nature. The petitioner was arrested by the police on the basis of mere suspicion. It is further submitted that the petitioner has got no concern with the seized motorcycles. The petitioner is in custody since 18.03.2025 and has got no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harlakhi P.S. Case No. 62 of 2025, subject to



the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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