

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41330 of 2025

Arising Out of PS. Case No.-276 Year-2025 Thana- BIKRAMGANJ District- Rohtas

Rakesh Yadav @ Rakesh Kumar son of Jagnarayan Yadav @ Jag Narayan Prasad Singh Resident Of Village -Sikadiyan, Ps- Bikramganj, Dist -Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bikramganj P.S. Case No. 276 of 2025 registered on 25.04.2025 for the alleged offences under Sections 115(2), 126(2), 132, 262, 263, 115(1), 324(4), 109, 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the police received information about presence of the primary accused of Dinara P.S. Case No. 167 of 2025 in the house of co-accused, Azad Kuraishi. The said house was surrounded and co-accused Tuna Pandey @ Jogindar Pandey was apprehended. While the police party was bringing the apprehended co-accused to police station, the co-accused Azad Kuraishi started opposing his arrest



and raised alarm and about 100 persons assembled who were armed with bricks and stones and tried to free the apprehended co-accused from the police party. The police party was even fired upon and after retaliatory fire, the crowd dispersed. The name of the petitioner transpired in this case on query by the police team from the local sources and *Mahal Chowkidar*.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired in this case merely on suspicion and there is cogent material against him. If a mob of 100 persons assembled, it is absurd to believe that the petitioner was identified in the crowd. There is no allegation of committing any specific over act against the petitioner for causing hurt to any police personnel. The petitioner has got no criminal history and he is in custody since 29.04.2025.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner has been named in the FIR and he was a member of the mob which attacked the police party.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent, the



petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas/court concerned in connection with Bikramganj P.S. Case No. 276 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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