

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45543 of 2025

Arising Out of PS. Case No.-531 Year-2024 Thana- DIGHA District- Patna

Rakesh Rai @ Rakesh Kumar Son of Lallu Ray @ Mohan Rai R/o- X.T.T.I.,
Mariyam Colony, P.S.- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Digha P.S. Case No. 531 of 2024 dated 11.08.2024, registered for the offence punishable under Sections 126(2), 115, 118(1), 109, 352, 303(2), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioner is that he inflicted iron rod on the head of the informant's son Sahil Kumar, who sustained head injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the nature of injury opined by the doctor is simple. It is further submitted that there is no



allegation against the petitioner that he repeatedly assaulted the son of the informant. Lastly, it has been submitted that he has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Digha P.S. Case No. 531 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-XIII-cum-A.C.J.M.-13, subject to condition as laid down under Section 482(2) of B.N.S.S. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that



he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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