

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51671 of 2025

Arising Out of PS. Case No.-264 Year-2023 Thana- RAJAON District- Banka

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Rahul Kumar @ Rahul Yadav Son of Pappu Yadav Resident of Village- Bhat
Korama, P.S.- Rajoun, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection

with Rajoun P.S. Case No. 264 of 2023 registered for the

offences under Sections 147, 148, 341, 323, 332, 333, 337,

338, 353 and 307 of the Indian Penal Code.

3. As per the prosecution case, during routine

patrolling near village Islampur, police observed a tractor

loaded with sand approaching. Upon seeing the police, the

driver escaped. Police seized the tractor, but later people

pelted stones at officers, injuring one police party member,

while some suspects escaped with the tractor and two

persons on a motorcycle were chased and apprehended and



on their disclosure, the name of the petitioner and others was taken.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case only because he carries three criminal antecedents. Further submission is that no independent witness has disclosed the name of the petitioner, which is reflected in the reference to the case diary in the impugned order as stated in Paragraphs '42', '43', '44' and '55' of the case diary. It is next submitted that there is no injury report on record to substantiate the allegations levelled against the accused persons, including the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Court below where the case is pending/successor court in connection with Rajoun P.S. Case No. 264 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation



of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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