

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45846 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- SIRDALA District- Nawada

-
1. Rakesh Kumar @ Rakesh Rajwanshi S/o Suresh Rajwanshi @ Teni R/o Vill - Partapur, P.S - Sirdala, Dist - Nawada
 2. Jhandu Rajwanshi @ Guddu Rajwanshi S/o Gorelal Rajwanshi R/o Vill - Partapur, P.S - Sirdala, Dist - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-07-2025 Heard the parties.

2. The petitioners are in custody in connection with Sirdala P.S. Case No. 115 of 2025 for the offence punishable under Sections 126(2), 115(2), 117(2), 308(5), 352, 351(2) and 3(5) of the B.N.S. lodged on 25.03.2025 by the informant, Pappu Ansari.

3. As per the prosecution story, the informant alleged that he had got a tender for the construction of ‘Yatri Shed’ for which the accused persons were demanding money. On a fateful day, they came and after dragging him with a towel, took away Rs. 20,000/- beside the ATM card. The allegation of snatching of motorcycle is also there. This



led to the FIR.

4. Learned counsel for the petitioners submit that they have absolutely no role to play in the matter, only because of personal grudge, implicated. Both have no criminal antecedent and lastly, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to contribute Rs. 10,000/- each (totalling Rs. 20,000/-) towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer for bail submitting that allegation is of dragging with the towel and also snatching Rs. 20,000/- beside ATM card.

6. Taking into account the submission of the parties as also that both the petitioners have no criminal antecedent, allegation is there, they shall be facing the music and have remained in custody since 27.03.2025, in that background, this Court is inclined to extend them the



privilege of bail with conditions subject to payment of Rs. 10,000/- each (totalling Rs. 20,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada in connection with Sirdala P.S. Case No. 115 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for one year to mark their attendance;



(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

