

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53308 of 2025

Arising Out of PS. Case No.-337 Year-2021 Thana- BARH District- Patna

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Rakesh Kumar S/o Chandeshwar Prasad @ Chandeshwar Yadav R/o Vill-
Raily, P.S.- N.T.P.C., Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhim Sen Prasad

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 337 of 2021 registered for the offence under
Sections 364, 120(B) of the I.P.C.

3. The petitioner is named in the F.I.R. and is in
custody since 21.05.2025.

4. As per FIR, named co-accused person who are
the agnates of the informant kidnapped her husband, where
apprehension was raised that the kidnapping was done to
commit murder of the husband of the informant.

5. Learned counsel appearing on behalf of the
petitioner submitted that named co-accused namely, Suresh



Mahato & Fullo Mahato have already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 3431 of 2022 vide order dated 20.06.2022. It is pointed out that name of this petitioner transpired on the basis of confessional statement of co-accused Suraj Kumar, in furtherance of which no incriminating material recovered during investigation as to connect petitioner with present crime in question. It is pointed out that after recovery of husband of the informant, the maximum allegation what appears against this petitioner is that named co-accused person found in conversation that this petitioner engaged them against cash of Rs. 5 lakh to commit murder of husband of informant. It is pointed out that admittedly the accused persons are agnates and neighbors and implication of petitioner was raised in the background of land and neighborhood dispute. While concluding the argument, it is submitted that petitioner found involved in one more criminal case where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the



evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement and conversation of co-accused persons *prima-facie* nothing incriminating appears during investigation as to connect petitioner with present crime in question, coupled with fact that investigation of this case already completed where petitioner remains in custody since 21.05.2025, accordingly petitioner above named, is directed to be released on bail in connection with Barh P.S. Case No. 337 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JM 1st Class, Barh, Patna /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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