

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58233 of 2025

Arising Out of PS. Case No.-20 Year-2020 Thana- LAUKAHA District- Madhubani

Rahul Kumar @ Rahul Kumar Yadav @ Rahul Yadav S/o Govind Yadav @
Govindra Yadav R/o Village- Jokahi, P.S- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent. It is next submitted that the instant FIR against the petitioner was instituted with respect to offences carrying punishment of less than seven years as such the police during the course of investigation gave the benefit of Section 41A of the Cr.P.C to the petitioner. It is submitted that petitioner cooperated with the police during the course of investigation and the police never felt the need of arresting the petitioner or else, the police would



have filed an application before the learned magistrate seeking permission to arrest the petitioner but then, chargesheet came to be submitted on 30.06.2020 under Sections 341, 323, 324, 504, 506 and 34 of IPC. It is submitted that even chargesheet was submitted with respect to offences which carries punishment of less than seven years but then the learned magistrate differing with the police report took cognizance under Section 307 of the IPC also. Thus, petitioner apprehends arrest. It is submitted that during the course of investigation no material transpired based on which it can be culled out that the offence committed by the petitioner attracted Section 307 of the IPC. It is next submitted petitioner will not abscond rather will cooperate in the Trial to prove his innocence. The Chargesheet submitted by the learned counsel for the petitioner is taken on record.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned SDJM, Jhanjharpur, Madhubani in connection with Lauka P. S. Case No. 20 of 2020, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. However, it is made clear that if the learned Trial Court comes to the conclusion that petitioner after his release is trying to delay the framing of charge or after framing of charge is trying to delay the Trial, in that event the learned Trial Court in both the conditions shall be at liberty to cancel the bail bond of the petitioner.

7. The application stands allowed.

(Satyavrat Verma, J)

Siddharth Soni/-

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