

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57494 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- DELHA District- Gaya

1. Rakesh Kumar @ Golu Kumar @ Golu S/O Barho Prasad @ Badho Prasad Resident of Village- Bairagi, P.S- Delha, Distt.- Gaya.
2. Mukesh Kumar S/O Barho Prasad @ Badho Prasad Resident of Village- Bairagi, P.S- Delha, Distt.- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Subodh Kumar, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Delha PS. Case No-274 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 76, 118, 109, 351(2), 3(5) of the B.N.S., 2023.

3. As per allegation, on 30.10.2024 at about 11:00 PM, the informant was going to temple for worshipping along with her brother, Piyush Verma and her mother. The accused persons, who were present near the temple, caught her hair and pushed her. When her brother tried to save her, all the accused persons assaulted him with knife, stones and *desi katta*. On *hualla*, people came there and rescued her. As per further



allegation, all the accused persons also assaulted and outraged the modesty of her mother.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that there is no specific allegation against these petitioners and the allegation levelled against them is general and omnibus in nature. He further submits that similarly situated co-accused, Pawan Kumar and Prince have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 16.10.2025 passed in Cr. Misc. No. 45392 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Delha PS. Case No-274 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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