

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81723 of 2025**

Arising Out of PS. Case No.-327 Year-2017 Thana- BANKA District- Banka

Rakesh Ray Son of Sikandar Rai R/o Boka (Bhagwanpur), P.S.- Belhar,  
District - Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate  
For the Opposite Party/s : Mr. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      03-12-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Banka P.S. Case No. 327 of 2017 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 307/379, 387, 504, 506 of the Indian Penal Code and Section 3/4 of Explosive Substance Act.

03. As per prosecution case, 10-12 miscreants came to the construction site where the informant has been working as a clerk and assaulted the workmen sleeping at the site. The miscreants took away five labourer with them. They were armed with musket, gun, knife and bombs and they also exploded to bombs at the site. They further took away the mobile phones of the workmen and cash from the informant. The miscreants had been demanding Rs. 10 lacs in extortion money from the owner



of the construction work. The name of the petitioner transpired during investigation for being involved in the alleged occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the FIR and his name transpired in this case on the basis of confessional statement of co-accused, Jiblal Yadav, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 05.04.2018 passed in Criminal Misc. No. 12613 of 2018. A number of similarly situated co-accused persons have also been granted bail by the different Co-ordinate Benches vide order dated 09.10.2017 passed in Criminal Misc. No. 43364 of 2017, order dated 13.10.2017 passed in Criminal Misc. No. 44199 of 2017 and order dated 01.12.2017 passed in Criminal Misc. No. 54453 of 2017. Learned counsel further submits that there is no material on record to shown the complicity of the petitioner in the alleged occurrence and there is no possibility of conclusion of trial in the near future. The petitioner is having antecedent of one case and is in custody since 18.11.2023. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



vague nature of allegation and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/court concerned in connection with Banka P.S. Case No. 327 of 2017, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three 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.

**(Arun Kumar Jha, J)**

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