

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85149 of 2024

Arising Out of PS. Case No.-124 Year-2019 Thana- MOKAMAH District- Patna

Rajesh Kumar @ Bauna S/o Late Nawal Singh @ Nawal Kishor Singh R/o
vill - Moldiyar Tola, ward no. 11, P.S. - Mokama, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate Mr. Ashwani Raj Narayan, Advocate Ms. Puja Kumari, Advocate
For the State	:	Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Mokama P.S. Case No. 124 of 2019, dated
14.06.2019, registered for the offences punishable under
Sections 385, 386 and 387 of the Indian Penal Code and Section
27 of the Arms Act.

3. As per allegation, one threat came to the truck
driver of Bharat Began Company on mobile by Mobile No.
9431698766 and after four days of the threat, the air firing was
done on him and on 14.06.2019 at 9:00 PM, six unknown
persons came near Bharat Began Company where labourers
were working and beaten the labourers working there



and ran away doing air firing and extending threat that they would face dire consequences if extortion money is not given to them. As per the secret information, the named accused persons including the petitioner are involved in the alleged offence, besides four other persons.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is named in the FIR only on account of suspicion. Even as per the FIR, no one has identified the offender of the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has 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 bail petition that the petitioner has 19 criminal antecedents.

7. However, 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 petitioner, above-named, to be enlarged on bail, in the event of his 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 his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-IV, Barh, in connection with Mokama P.S. Case No. 124 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.

(Jitendra Kumar, J)

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