

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1889 of 2026

Arising Out of PS. Case No.-947 Year-2025 Thana- NAGAR District- Vaishali

Rakesh Kumar Harsh @ Nikhil Anand Son of Ram Babu Sah R/o Village -
Anwarpur, Ward no. 21, P.S. - Hajipur, Dist. - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishlay Ketan Son of Awadh Kishore Singh R/o Sahjadpur, Andarkila,
S.D.O. Road, P.S. - Hajipur, Dist. - Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Renuka Ratnakar (App125)

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mr. Mritunjay Kumar, learned counsel for the

petitioner, Mrs. Renuka Patnakar, learned Additional Public

Prosecutor for the State and learned counsel for the informant.

2. The petitioner seeks bail, who is in custody since
10.10.2025 in connection with Hajipur Town P.S. Case No. 947
of 2025, F.I.R. dated 02.08.2025, for the offences punishable
under Sections 316(2), 318(4), 351(2), 3(5) of the B.N.S. and
later on sections 340(2), 338, 336(3), 351(2), 61(2) of B.N.S.
and section 138 of N.I. Act.

3. According to prosecution case, petitioner and other
co-accused persons are alleged to do forgery and taken Rs.
20,000,00/- from the informant.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner and other co-accused persons have received a cheque amount of Rs. 20 Lakhs from the complainant and petitioner has already returned Rs. 11,30,000/- and the rest amount of Rs. 8,70,000/- has to pay to the complainant. Learned counsel on instruction further submits that the petitioner is ready to pay the aforesaid amount to the complainant. Petitioner is in custody since 10.10.2025.

5. Learned APP for the State and complainant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and petitioner is ready to return the due amount to the complainant, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 947 of 2025, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

iv. Learned counsel for the petitioner is directed to produce a Demand Draft of Rs. 3 Lakhs (Rs. 3,00,000/-) in favour of the complainant at the time of furnishing bail bonds and learned court below is directed to hand over the said Demand Draft to the counsel for the complainant/opposite party no. 2 or his representative and the rest amount i.e. 5,70,000/- will be paid to the complainant within a period of two months from the date of furnishing bail bond if the petitioner fails to pay the rest amount to the complainant/opposite party no. 2, the



complainant is at liberty to move before the court below to cancel his bail bond.

(Rajesh Kumar Verma, J)

Ranjeet/-

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