

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3077 of 2026

Arising Out of PS. Case No.-172 Year-2023 Thana- KADWA District- Katihar

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Rakesh Kumar @ Dhanna S/o Sita Ram Yadav Resident of Village -
Kanhariya, P.S - Dagruwa, District - Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakash Kumar Mehata S/o Brahamdev Mehata R/o Village -
Mohammadpur Ward No. 8, P.S - Kadwa, District - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Narayan Yadav, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kadwa P.S. Case No.
172 of 2023, instituted for the offences punishable under
Sections 461, 379, 411/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, miscreants
looted laptop, fan, torch, mobile phone and cash of Rs. 15,000/-
the shop of the informant at night.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Name of the petitioner has transpired in this case during investigation. No stolen articles have been recovered from the possession of the petitioner. The petitioner is in custody since 18.07.2025 and has got six criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kadwa P.S. Case No. 172 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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