

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20382 of 2026

Arising Out of PS. Case No.-126 Year-2023 Thana- GHOSI District- Jehanabad

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Rakesh Kumar Son of Late Ram Prasad Yadav Resident of Mohalla - Chiri,
Ps- Ghosi, Dist- Jehanabad Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Ragini Kumari, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-03-2026

Heard Ms. Ragini Kumari, learned counsel for the petitioner as well as Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 22.10.2025 in connection with Ghosi P.S. Case No. 126 of 2023, F.I.R. dated 25.02.2023 for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 504, 506, 302, 120(B) of the Indian Penal Code and 27 of Arms Act.

3. Allegation against the petitioner along with other accused persons assaulted and fired upon the son of the informant due to which his son died.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From bare perusal of the FIR it appears that petitioner is named in the FIR and due to previous panchayat



election dispute the present occurrence had taken place. She next submits taht specific allegation of assault is attributed against other accused persons that they fired upon the deceased and assaulted him by means of *tekani*. The allegation against this petitioner is that he threatened to kill the deceased. She next submits that similarly situated co-accused persons, namely, Panna Sharma @ Yogendra Sharma @ Yogendra Kumar Panna Lal and Mithilesh Yadav have been granted the privilege of bail by this Court and a coordinate Bench of this Court vide order dated 18.09.2023 and 17.01.2026 in Cr. Misc. No. 40196 of 2023 and Cr. Misc. No. 91125 of 2025. She further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.10.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is named in the FIR and he participated in the present crime in question and apart from that petitioner carries five criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail four cases.

6. Considering the aforesaid facts and circumstances, 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 C.J.M Jehanabad in connection with Ghosi P.S. Case No. 126 of 2023, subject to 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 his absence on two consecutive dates without sufficient reason, his 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.

(Rajesh Kumar Verma, J)

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