

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25890 of 2026

Arising Out of PS. Case No.-519 Year-2024 Thana- PAHARPUR District- East Champaran

Rakesh Singh Son of Veer Bahadur Singh Resident of Village- Hematpur
Tikuliya PS- Paharpur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Ranjan, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-05-2026 Heard Mr. Abhishek Ranjan, learned counsel for the
petitioner and Mr. Lalan Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Paharpur P.S. Case No. 519 of 2024, F.I.R. dated 20.11.2024 registered for the offences punishable under Sections 111, 317(3), 317(5), 61(2) of the B.N.S. and Section 25(1-B)(a), 26, 35 of the Arms Act.

3. Allegation against the petitioner is of committing theft of electricity wire by forming an organized group with the other members of the group.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that petitioner is



not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person, namely, Mukesh Singh @ Mukesh Kumar and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that co-accused person, namely, Chhotan Singh @ Chhotan Kumar has been granted the privilege of anticipatory bail by this Court vide order dated 18.11.2025 passed in Cr. Misc. No. 75475 of 2025, another co-accused person, namely, Lal Deo Yadav @ Laldeo Kumar has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 15.01.2026 passed in Cr. Misc. No. 87490 of 2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person as well as similarly situated co-accused persons have been granted the privilege of anticipatory



bail by this Court or by a Coordinate Bench of this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran, Motihari in connection with Paharpur P.S. Case No. 519 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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