

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22646 of 2026

Arising Out of PS. Case No.-315 Year-2025 Thana- LAKHAURA District- East Champaran

Rakesh Kumar @ Rakesh Kumar Yadav S/o Shubhnarayan Rai R/o vill -
Jagiraha, P.S.- Lakhaura, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Lakhaura P.S. Case No. 315 of 2025 lodged on 02.11.2025, for the offence punishable under Sections 115(2), 126(2), 308(4), 118(2), 76, 109, 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against eight named accused persons including the present petitioner and unknown persons with allegation that all the accused persons armed with sword, iron rod and *farsa* came at the house of the informant and started abusing him and also demanded



ransom amount of Rs.5,00,000/- in lieu of construction of house. Upon oppose, accused persons assaulted the informant and his family members by sword, iron rod and *farsa*, due to which, informant's side sustained injuries. It has also been alleged that accused Dilip Kumar and Mukesh Kumar have tried to outrage the modesty of informant's wife and daughter. The accused persons also threatened the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that prior to the institution of this case, the sister of the petitioner lodged a criminal case bearing Lakhaura P.S. Case No. 314 of 2025 (annexed as Annexure-P/2) against the informant and eight other persons who have assaulted the petitioner's side. Counsel submits that with a view to save the skin, the informant's side has lodged the present case. Counsel submits that due to the injury caused by the informant's side, petitioner's father died which is apparent from Annexure-P/2. He further submits that the criminal antecedent of the petitioner is not clean as there are two cases pending against him and in both the cases, he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that from the record, it



transpires that there are case and counter case from both the sides.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of C.J.M. Motihari, in connection with Lakhaura P.S. Case No. 315 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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