

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23776 of 2026

Arising Out of PS. Case No.-118 Year-2025 Thana- KUMAR KHAND District- Madhepura

Rakesh Kumar @ Baua S/o Abhinandan Yadav R/o Village - Kevatgama,
Ward No. 14, P.S - Kumarkhand, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Adv.
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kumarkhand P.S. Case No. 118 of 2025, dated 16.05.2025 registered for the offence punishable under Section 309(4) of the B.N.S., 2023.

3. As per the prosecution case, the informant, while passing through Murliganj for collecting a blood sample for Dr. Lal Path Lab, was stopped near Chandi Asthan Temple by three unknown persons who pushed his motorcycle. It is further alleged that one of them, at gunpoint, threatened to kill him and forcibly took his mobile phone, Rs. 3000/-, and his Honda Shine motorcycle (Reg. No. BR-50AA-8837) with a Vivo mobile containing two Jio SIMs.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of disclosures made by the co-accused Manish Kumar. It is next submitted that nothing incriminating is said to have been recovered from the constructive possession of the petitioner or from his house when the search was made by the police in his absence. The petitioner has two criminal antecedents out of which in one of them, final form has been submitted and, in another, he is on bail. The petitioner is a man of means and he is ready to abide by the terms and conditions imposed in this case, in case the benefit of privilege of anticipatory bail is extended to him.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the petitioner's name has transpired in this case on the basis of the confession of the co-accused Manish Kumar as also the fact that nothing incriminating has been recovered from the constructive possession of the petitioner or from his house, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten



thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Madhepura in connection with Kumarkhand P.S. Case No. 118 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the District Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bond.

(Ajit Kumar, J)

rishi/-

U		T	
---	--	---	--

