

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25254 of 2026

Arising Out of PS. Case No.-162 Year-2018 Thana- KADAMKUAN District- Patna

Rakesh Kumar @ Rakesh Sharma @ Rakesh Ranjan @ Rakesh Lulha Son of
Subhash Sharma Resident of Village- Choti Tangraila, P.S.- Naubatpur, Distt.-
Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mthilesh Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Kadamkuan P.S. Case No. 162 of 2018 registered for the
offence punishable under Sections-384, 287/34 of the Indian Penal
Code.

3. As per prosecution case, the informant was engaged in
land sale and purchase business with Kameshwar Prasad who
allegedly misused the power of, attorney given by a client in a
fraudulent manner. When the informant discovered the fraud, he
objected and demanded the return of the client's payment. The
allegation against the petitioner is of threatening the informant along
with others.

4. Counsel for the petitioner submits that the allegations



pertains to civil dispute relating to agreement for sale executed by Sanjay Kumar. It is next submitted that the petitioner had initially filed an application for grant of anticipatory bail before the District Court which was rejected and thereafter, the petitioner suffered paralysis and thereafter, covid ensued that is why, the petitioner could not take steps for filing anticipatory bail before this court and after cure from paralysis, the petitioner has approached this court. The dispute purely relates to civil nature for sale and purchase of land. It is further submitted that co-ordinate bench of this court has extended the privilege of anticipatory bail to the co-accused which is appended as Annexure-P/2 and P/3 to this application.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail of the petitioner by submitting that the petitioner has got one more antecedent except the present one but he fairly submits that the petitioner is on bail in the pending other case.

6. Considering the fact that the matter relates to civil nature, and the allegation of threatening against the petitioner is general and omnibus but not specific, let the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Patna in connection with Kadamkuan P.S. Case No. 162 of 2018, 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 family member/relative/known of the petitioner who shall provide official document/personal affidavit to show his bona fide;

(ii) The petitioner shall appear before the trial court on each and every date fixed in the case and if, his failure to do so on two consecutive dates without plausible reason, will entail cancellation of his bail bonds by the Trial 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 the bail bonds.

(Ajit Kumar, J)

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