

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28366 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- BAKHTIYARPUR District- Patna

Rajesh Kumar Son of Hari Singh Yadav @ Jay Kumar Yadav R/O Village -
Alipur, P.S.- Salimpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-07-2026 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Bakhtiyarpur P.S. Case No. 346 of 2025, registered for the offences punishable under Sections 126(2), 127(2), 115(2), 109, 303(2), 316(2), 318(4), 352, 351(2), 3(5) of the BNS.

3. Allegedly on the given date and time of occurrence, while the informant was going to Gyaspur to purchase animals, in the meanwhile, at Bakhtiyarpur Railway Station one person has persuaded him to sit on his motorcycle whereas another person was also standing and both of them taken away the informant and subsequently brutally assaulted and snatched the valuables including Rs.86,000/- cash and his mobile. The



accused persons also pressurized the informant to get a hefty amount transferred on the mobile pay phone, whereupon the informant asked one of his friend to transfer Rs.35,000/- on the given mobile number.

4. Learned Advocate for the petitioner submitted that the FIR has been instituted against unknown persons. However, during the course of investigation, based upon the CCTV footage the local Chowkidar identified two persons, including the petitioner, though the identification of the petitioner appears to be doubtful, as his father's name has been wrongly mentioned. Moreover, the informant, who is said to have been assaulted by the accused person, has not identified the petitioner nor video footage has been shown to him for identification. On a suspicious identification, the name of the petitioner has been implicated in this case. The petitioner though bears one criminal antecedent but that relates to Excise Act, in which he is on bail.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner along with his friends were identified by the local Chowkidar, nothing remained to show their innocence.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note



of the fact that the petitioner has not been identified by the informant who was subjected to loot and assault, the identification of the petitioner by the Chowkidar appears to be suffered from suspicios and doubtfulness, besides the petitioner undertakes that he will fully coperate in the proceeding of the court, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 346 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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