

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87511 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- BAKHARPUR District- Bhagalpur

Rakesh Tiwari @ Rakesh Kumar Tiwari, Late Mahendra Nath Tiwari, R/o
Village- Bakharpur, P.S- Bakharpur, Dist- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ravi Ranjan Kumar, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 01-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Bakharpur PS. Case No.57 of 2025 dated-12.08.2025, registered for the offences punishable under Sections 115(2), 118(1), 117(2), 109, 303(2), 308(4), 308(5), 352, 351(2), 3(5) of the BNS, 2023.

3. As per allegation, when the Informant was going on motorcycle, the Petitioner and other co-accused stopped him and the Petitioner demanded extortion money of Rs.25,000/- and on non payment of the same, the Petitioner and other co-accused assaulted the Informant.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that similarly situated co-accused have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 24.02.2026 passed in Criminal Miscellaneous No.4225 of 2026. He further submits that the alleged injury is simple in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. However, learned counsel for the Informant as well as learned APP for the State vehemently oppose the prayer of the Petitioner for bail submitting that the Petitioner has four criminal antecedents and he does not deserve anticipatory bail. However, in reply to this statement, learned counsel for the Petitioner submits that even the co-accused, who have already been granted bail by a co-ordinate bench of this Court, have got criminal antecedents.

7. Considering the aforesaid facts and circumstances, particularly the parity, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of



this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Bakharpur PS. Case No.57 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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