

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1909 of 2026

Arising Out of PS. Case No.-193 Year-2025 Thana- MUSRIGHRARI District- Samastipur

1. Rakesh Kumar @ Rakesh Rai S/o- Mahesh Narayan Yadav Village- Rahimpur Audauli PS- Samastipur Distt- Samastipur
2. Jitendra Kumar S/o- Mahesh Narayan Yadav Village- Rahimpur Audauli PS- Samastipur Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Neetu Jha, Advocate

For the State : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mrs. Neetu Jha, learned counsel for the petitioners and Mr. Yogendra Kumar Singh, learned APP for the State.

2. Petitioners seek bail, who are in custody since 15.11.2025, in connection with Musarigharari P.S. Case No. 193 of 2025, F.I.R. dated 27.10.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 140(3), 352, 351(2), 3(5) of the B.N.S.

3. Allegation against the petitioners is that they have abducted the husband of the informant and assaulted him.

4. Learned counsel for the petitioners submits that the police after investigation submitted chargesheet under Sections



126(2), 127(2), 115(2), 118(2), 352, 351(2), 3(5) of the B.N.S. and the police has disbelieved the kidnapping the husband of the informant in the Chargesheet dated 20.12.2025. Learned counsel for the petitioners submits that it appears from the aforesaid chargesheet, the allegation as alleged in the F.I.R. against the petitioners is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. and the prosecution has disbelieved the version of the informant and the petitioners are in custody since 15.11.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners carry one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioners are on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Musarigharari P.S. Case No. 193 of 2025, subject to the following conditions :-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The chargesheet produced by the petitioner is kept on record.

(Rajesh Kumar Verma, J)

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