

**THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI**  
**RAKESH KUMAR VS. THE STATE OF BIHAR**  
**A.B.A. NO. - 31 Of 2026**  
**Jamui P.S Case No.-814/2024**

**ORDER**

**Present: Sudhir Sinha**

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**11.06.2026**

This anticipatory bail petition has been filed on behalf of petitioner **Rakesh Kumar @ Rakesh Rawat** who is apprehending arrest in Jamui P.S. Case No. 814/2024 registered U/s-126(2), 115(2), 109, 352, 351(2)(3), 3(5) B.N.S, the copy of which is served upon the Id. P.P.

The Id. Counsel for the petitioner has submitted that no bail petition was filed either in this Id Court or before Hon'ble High Court, Patna except the present one. The petitioner has got no criminal antecedent. The police did not give notice u/s-35(3) of B.N.S.S to the petitioner. All sections are bailable except 109 B.N.S. which is super added and in order to make the offence non-bailable. As per Id. Counsel the petitioner is quite innocent, has committed no offence and he has been falsely implicated in this case due to land dispute. The co-accused Subodh Rawat has been granted bail by this Court vide A.B.A No. 1007/2025. The case of petitioner stands on similar footing. The petitioner is man of means and there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of Id. Court. In such view the Id. Counsel prayed to admit the petitioner to anticipatory bail.

The Id. Addl. PP opposed the prayer for bail.

On perusal of the case diary it is clear that the petitioner is F.I.R. named accused. The prosecution case as per written information of Suresh Rawat is that on 12.12.2024 at about 12:00 P.M while he was returning from toilet all the accused persons surrounded him and started abusing with filthy languages. Upon his objections Rakesh Kumar with murderous intention assaulted at his head with iron rod, causing cut at his head and it started bleeding and he fell down. Then Subodh Rawat, Rishu Kumar and Riti Kumar with murderous intention assaulted at his leg and back with iron rod and injured him. When his family members tried to save him they were also assaulted and injured. The accused persons fled away. Thereafter they pelted stones and

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bricks at his house. His niece Pallavi Kumari dialled 112 and police came and pacified the matter. His family brought him to Sadar Hospital for treatment. The informant in his re-statement in CD para-2 has stated the same facts. The witnesses in CD para-6, 7 and 14 have supported the incident. There is no criminal antecedent against the accused as per CD para-46. As per injury report of Suresh Rawat (informant), the doctor has found Lacerated wound on fronto parietal area of skull for which CT head was advised but the Report is not available and the doctor has opined it to be simple in nature. The allegation of assault is on Rakesh Kumar that he assaulted with iron-rod at the head of informant causing cut and it started bleeding. The injury is on the vital part of the body which shows intention of assailant. The matter is still under investigation. Therefore the petitioner does not deserve the privilege of anticipatory bail. The case of petitioner is not on similar footing with other co-accused as there is direct allegation of assault against him.

Therefore in view of the facts and circumstances of this case having regard to the submission tendered by the parties the A.B.P filed on behalf of the petitioner **Rakesh Kumar @ Rakesh Rawat** is **Rejected.**

Dictated & Corrected

District & Addl. S.J -II, Jamui  
11.06.2026