

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12481 of 2025

Arising Out of PS. Case No.-492 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Akash Kumar S/o Sanjay Paswan R/o Village- Mahewa, P.S- Makhdumpur,
District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr. Umesh Kumar, learned counsel for the

petitioner and Dr. Indihar Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Makhdumpur P.S. Case No. 492 of 2024, F.I.R. dated 10.10.2024 for the offences punishable under Sections 126(2), 115(2), 303(2), 308(5), 109, 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including this petitioner demanded ransom from the informant and when the informant refused to give the money then all the accused persons caught him and took Rs. 7,200/- from his pocket and also took away his mobile phone. It is further alleged that the informant was also abused and slapped



by the accused persons and co-accused, Bittu Kumar also pointed pistol and threatened him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the F.I.R, but it appears that the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused, namely, Bittu Kumar and that except the disclosure made by the co-accused, no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the co-accused, namely, Bittu Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 08.05.2025 passed in Cr. Misc. No. 88648 of 2024.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, his name has been transpired on the basis of the disclosure made by the co-accused person and the similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, above named, in the event of arrest or surrender



before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Jehanabad in connection with Makhdumpur P.S. Case No. 492 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

