

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13273 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- BHARGAMA District- Araria

Akhilesh Kumar @ Akhalesh Kumar @ Akhilesh Yadav S/O Satya Narayan
Yadav Resident Of Village- Raghunathpur Dakshin, Ward No.- 02, P.s.-
Bhargawan, Dist.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate
For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 02-07-2025 Heard Mr. Majid Mahboob Khan, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending arrest in connection with Bhargawan P.S. Case No. 179 of 2024 instituted under Sections 341, 323, 307, 379, 34 of the Indian Penal Code lodged on 18.06.2024 by the informant, Pramod Kumar Yadav.

3. As per the prosecution story, the informant alleged that he had kept maize grains for sun heat but later found it missing. They later found out the accused, the petitioner included are the culprit and accordingly confronted. The, allegation is that this petitioner armed with iron rod gave blow on his head causing injury. When his wife came to the rescue, he also ran up behind her to assault. She however raised alarm and later lodged the FIR.



4. Learned counsel for the petitioner submits that he has no criminal antecedent, due to political rivalry, such allegation has been made. He further submits that the injury report clearly show that the petitioner never submitted his CT Scan report whereafter the Medical Officer of the Health Center, Bargama recorded it to be simple in nature.

5. Last submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner would like to contribute Rs. 5000/- towards the medical assistance of the informant through Demand Draft issued by the local State Bank of India branch to be submitted before the concerned Court to be handed over to the informant.

6. In this case, case diary was called for by a coordinate bench.

7. Learned APP though opposes the prayer concedes that injury has been recorded to be simple in nature.

8. Taking into account the aforesaid facts as also that the petitioner has no criminal antecedent, injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to Rs. 5000/- towards the medical assistance of the informant through Demand Draft issued by the local State Bank of India branch to



be submitted before the concerned Court to be handed over to the informant.

9. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Bhargawan P.S. Case No. 179 of 2024 to the satisfaction of learned Chief Judicial Magistrate, Araria subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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