

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16125 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- R S P.S. District- Araria

Akshay Sah @ Aksay Kumar @ Akshay Kr Sah @ Akshay Kumar Sah S/o
Raju Sah R/o vill - Gunwanti, ward no. 5, P.s.- Bounsi, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 15-05-2025 Heard learned counsel for the petitioner as well as
the counsel appearing for the respondent-State.

2. This is the first regular bail application submitted by the petitioner who has been arrested in connection with R.S. P.S. Case No. 125 of 2024 dated 09.06.2024 for the alleged offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita and under Section 27 of the Arms Act.

3. According to the case of prosecution, it is alleged that on the date of incident i.e. 02.09.2024 at about 10:30 A.M. the deceased Dheeraj Kumar Sah left his house along with the present applicant to their workplace at Mirzapur and subsequently, the dead body of the deceased was found. The matter was reported by the informant i.e. father of the deceased, on the basis of said, offences has been registered. During the



course of investigation, and on the confessional statement of the co-accused, the present applicant was arrested on 06.09.2024 and since then he is in custody.

4. It is submitted by the counsel for the petitioner that the petitioner herein is innocent and is falsely implicated in this case. He further submits that the petitioner has no connection from the aforesaid crime. Apart from the confessional statement there is no evidence available on record against the petitioner. It is further submitted by the counsel that as contained in the confessional statement of the co-accused persons, the deceased was killed by co-accused Saharyar @ guddu. Lastly, he submits that on the same footing co-accused persons Shankar Kumar, Alok Kumar and Vishal Kumar have already been granted benefit of regular bail by the Co-ordinate Bench of this Court. Therefore, it is prayed that on these grounds he may be granted benefit of bail.

5. Learned counsel appearing on behalf of respondent-State opposes the prayer of bail.

6. Considering the submission made by the counsels and further considering the fact that the co-accused persons namely Shankar Kumar, Alok Kumar and Vishal Kumar have already been granted benefit of regular bail by the Co-ordinate



Bench of this Court, I am of the view that in this case the present applicant should be granted the benefit of bail. Accordingly, the petition is allowed. The petitioner is directed to be released on bail in connection with R.S. P.S. Case No. 125 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties, to the like amount each to the satisfaction of the learned C.J.M, Araria.

(Arvind Singh Chandel , J)

Siddharth Soni/-

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