

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15781 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- Bahoranpur District- Bhojpur

Akash Kumar Thakur @ Jhal Thakur @ Jhola Thakur S/O Devanand Thakur
R/O Vil.- Gaura, PO- Gaura, Dist.- Bihia, Dist.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suryajit Prakash, Advocate

For the State : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-08-2025 Heard Mr. Suryajit Prakash, learned counsel for the

petitioner as well as Mr. Yogendra Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bahoranpur P.S. Case No. 18 of 2024, F.I.R. dated 19.05.2024 for the offences punishable under Sections 307, 504, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

3. According to prosecution case, the petitioner along with other co-accused persons armed with country made pistol arrived at the informant's shop and fired upon the informant with the intention to kill him. It is further alleged that to create an atmosphere of violence, the petitioner fired from his pistol and threatened the informant to kill.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the present FIR is counter blast of Bihiya P.S. Case No. 117 of 2024 which was instituted by the petitioner against the informant's nephew. As per allegation in the FIR, the petitioner has fired upon the informant but it appears from the FIR itself that no one has received the gun shot injury in the present occurrence and present FIR has been instituted only to falsely implicate the petitioner.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has fired upon the informant and apart from that the petitioner carries 14 more cases other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, there is no gun shot injury upon the informant and the present case is counter blast of Bihiya P.S. Case No. 117



of 2024, let the petitioner, above named, in the event of his 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 A.C.J.M.-7th, Bhojpur at Ara in connection with Bahoranpur P.S. Case No. 18 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 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)

priyanka/-

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

