

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16639 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champanan

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AKHILESH KUMAR @ AKHILESH SAH @ AKHLESH SAH Son of
Prabhu Sah R/o village - Chandrahiya, P.S.- Motihari Mufasil, District - East
Champanan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 303(2) of
the BNS.

3. The case of the prosecution is that the petitioner
along with one other accused persons entered into the house of
the informant and took away DVD TV, five batteries and
Camera. Hence, the present FIR.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in
connection with the present case. It is further submitted that
there is land dispute between the petitioner and the informant



that is why uncle of the informant has also filed a case against the petitioner. Further submission is that nothing has been recovered from the conscious possession of the petitioner and there is no eye witness to the occurrence as the occurrence is of night. Moreover, the petitioner is languishing in judicial custody since 19.11.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail stating that that the petitioner has criminal antecedent.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motihari Muffasil P.S. Case No. 362 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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