

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22950 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- ARIYARI District- Sheikhpura

1. Mahendra Chauhan S/o- Late Chauthi Chauhan Village- Jodhanbigha Ps- Ariyari Dist- Sheikhpura
2. Aakash Kumar @ Akhlesh Kumar S/o- Mahendra Chauhan Village- Jodhanbigha Ps- Ariyari Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners are apprehending arrest in connection with Ariyari P.S. Case No. 15 of 2025 registered on 31.01.2025 for the offences punishable under Sections 126(2), 115(2), 109(2), 329, 74, 351, 352, 3(5) of the B.N.S., 2023.

3. As per the prosecution, the F.I.R. has been lodged against four named accused persons, including the petitioners. It is alleged that all the accused persons abused and assaulted the informant and her son. It is specifically alleged that petitioner no.1, Mahendra Chauhan, assaulted the informant's son on the head and neck with a *lathi*, resulting in one simple and one



grievous injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is contended that they have been falsely implicated in the present case. Although the antecedents of the petitioners are not entirely clean as they are accused in one other criminal case, but in that case, they are on bail. As per the F.I.R. itself, the allegation against petitioner no.2 is omnibus and general in nature.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the F.I.R. contains a specific allegation against petitioner no.1 of having intentionally caused a head injury to the son of the informant.

6. Learned APP for the State also opposes the prayer for bail made on behalf of the petitioners.

7. Considering the nature of the allegation levelled in the F.I.R. against petitioner no.2, Aakash Kumar @ Akhlesh Kumar, he is directed to be released on bail, in the event of his arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing a bail bond of ₹30,000/- (Rupees Thirty Thousand only), as contemplated under Section 2(1)(d) of the Bharatiya Nagrik Suraksha Sanhita, 2023, to the satisfaction of the learned ACJM-1, Sheikhpura, in connection



with Ariyari P.S. Case No. 15 of 2025, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

8. However, in view of the specific and serious allegations levelled against petitioner no.1, Mahendra Chauhan, this Court is not inclined to grant him bail at this stage. Accordingly, his prayer for bail is hereby rejected.

(Dr. Anshuman, J)

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