

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35228 of 2025

Arising Out of PS. Case No.-386 Year-2025 Thana- MAHUA District- Vaishali

Akhilesh Kumar son of Suchinddra Ram Resident of Village- Margi, P.S.-
Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hasnain Haider, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 28-05-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Mahua
P.S. Case No. 386 of 2025 registered for the offences punishable
under Sections 316(2), 318(4), 61(2) and 3(5) of BNS and
Sections 8(c) and 21(b) of NDPS and Section 66 of the I.T Act.

3. As per the FIR, on secret information that one
Pramod Kumar Singh along with 4-5 unknown individuals were
involved in cybercrime and consuming intoxicants at his shop, a
raid was conducted and five persons were apprehended. They
disclosed their names as Dilkash Raza, Pramod Kumar Singh,
Vikash Kumar, Rohan Kumar and Akhilesh Kumar (petitioner).
During the search, one mobile of the Oppo company with a SIM
and a substance like Kota kept in a plastic Dabba were



recovered from Pramod Kumar Singh. One mobile of the Oppo company with a SIM, eight SIMs of different mobile companies kept in the pant's pocket and one Apache motorcycle bearing registration no. BR31AK 1197 were recovered from the possession of Dilkash Raza. One mobile of Infinix Company with SIM and a Swift Dezire Maruti Suzuki vehicle bearing registration no. BR01HR 7389 were recovered from the possession of Vikash Kumar. One mobile with a SIM of the Vivo Company was recovered from the possession of Rohan Kumar. One mobile of the Redmi company with a SIM and a Bullet motorcycle of Royal Enfield bearing registration no. BR01HH 7908 were recovered from the possession of Akhilesh Kumar (petitioner). 24 dabbas filled up with kota (heroin), a total of 15 grams, and 60 empty dabbas for keeping kota (heroin) were recovered from the motorcycle's dikky kept behind the shop of Pramod Kumar Singh. On seeing the WhatsApp message on the mobile of Dilkash Raza, it appears that on the pretext of providing a job, money was demanded and received. On interrogation, Dilkash Raza disclosed that for the last 2-3 months, he came in contact with Anil Kumar and by giving false promise of jobs, he used to do cyber fraud with the help of Pramod Kumar Singh at his shop. Accordingly, the



seizure list of recovered articles was prepared, and the apprehended accused persons were arrested.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. Nothing has been recovered from the possession of this petitioner. During the investigation, the witnesses have not supported the prosecution's case against this petitioner. It has further been submitted that “kota’ was recovered from the possession of Pramod Kumar and not from the possession of this petitioner. It has also been submitted that the charge sheet has been submitted against the petitioner; as such, there is no likelihood of the petitioner tampering with the prosecution witnesses. Lastly, it has been submitted that the petitioner has a clean antecedent and has been in judicial custody since 23.03.2025.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the clean antecedent of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal District Judge, Vaishali at Hajipur in



connection with Mahua P.S. Case No. 386 of 2025 subject to
the following conditions :

a. One of the bailors of the petitioner shall be
his close relative.

b. The petitioner shall remain physically
present in Court on each date of the trial.

c. In case of absence on two consecutive dates, or
in violation of the terms of the bail and if the
prosecution is found involvement of the petitioner
in similar nature of offence, the bail bond of the
petitioner will be liable to be canceled by the Court
concerned.

d. 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.

(Sourendra Pandey, J)

Prakash/-

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