

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39875 of 2025

Arising Out of PS. Case No.-229 Year-2024 Thana- CHANDAUTI District- Gaya

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Akash Kumar @ Kaushal Kumar Son of Sri Rameshwar Singh Resident of
Village - Kharkhura Durga Asthan, P.S.- Delha, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-06-2025 Heard the parties.

2. The petitioner is in custody in connection with Chandauti P.S. Case No. 229 of 2024 for the offence punishable under sections 392 of IPC Act lodged on 15.06.2024 by the informant, Asharfi Kumar.

3. As per the prosecution story, the informant alleged that the accused person booked Tata Indigo for a fare of Rs.3,000/-. Under bonafide belief, he started journey along with them from Patna to Gaya. In between, fuel worth Rs.1,200/- was also filled but after mid-night, he was taken out, tied to a tree with hands, feet and mouth choked with clothes. He was also beaten before they took away the vehicle. It was only after an elderly man came that he got free and thereafter the F.I.R.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated. Further, similar situate person, Mayank Kumar Mishra has been extended



relief in Cr. Misc. No. 25855 of 2025 (Annexure-P/4 to the petition). The last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer for bail submitting that after booking the taxi, the informant was assaulted and the money was snatched. Further, he has criminal antecedent.

6. Considering the submissions of the parties as also the fact that he has remained in custody since 23.06.2024, similar situate person has been extended relief, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- to Asharfi Kumar as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Court of District &



Additional Sessions Judge 15th, Gaya in connection with Chandauti P.S. Case No. 229 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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