

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44242 of 2025

Arising Out of PS. Case No.-545 Year-2024 Thana- MASHRAK District- Saran

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Akhilesh Ray @ Akhilesh Kumar S/o Bhuneshwar Ray R/o Village- Masrakh
Gopalbari, P.S.- Masrakh, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Masrakh P.S. Case No. 545 of 2024 registered for the
offences punishable under Sections 126(2), 115(2), 352, 351(2),
74, 118(1), 109(1), 303(2) & 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case in short is that petitioner
along with other co-accused persons attacked the wife of the
informant with bad intention, tore her clothes and assaulted her.
When the informant and his brother tried to intervene, they were
stabbed and beaten. It is further alleged that the petitioner
stabbed knife on the wife of the informant due to which he



sustained injuries. The accused persons later assaulted his family member.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is submitted that petitioner allegedly assaulted the wife of the informant by knife. There is case and counter case between the parties. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has clean antecedent.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is specific allegation against the petitioner, hence, he does not deserve the privilege of anticipatory bail. It is next submitted that anticipatory bail of similar co-accused person has been rejected by this Court vide order dated 25-06-2025, passed in Cr. Misc. No. 33938 of 2025.

6. Considering the rival submissions made by the learned counsel for the parties as also facts and circumstances of the case, it appears that there is direct allegation against the petitioner. Accordingly, prayer for grant of anticipatory bail to the petitioner is *rejected*.



7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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