

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45358 of 2025**

Arising Out of PS. Case No.-474 Year-2024 Thana- RAJAPAKAR District- Vaishali

Akash Kumar, S/o Shankar Mahto, R/o village- Amrakh, P.S.- Maniyari,  
District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                                      |
|----------------------|---|--------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Saket Kumar Jha, Adv.<br>Mr. Pramod Kumar Yadav, Adv.<br>Mr. Md. Amir Hoda, Adv. |
| For the State        | : | Ms. Rita Verma, APP                                                                  |

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 4      15-10-2025                      1.    Heard Mr. Saket Kumar Jha, learned counsel for the petitioner and Ms. Rita Verma, learned APP for the State.
2.    The petitioner seeks regular bail in connection with Rajapakar P. S. Case No. 474 of 2024, dated 07.12.2024 registered for the offences punishable under Sections 137, 139 and 3(5) of the B.N.S.
3.    The main submissions advanced by the petitioner's counsel are that the petitioner is a student, bears no criminal antecedent, his past is completely clean and he has been languishing in jail since 03.01.2025 in the present matter which relates to the disappearance of the informant's daughter aged about 17 years and as per the allegations, the alleged incident took place on 25.11.2024 but the FIR was registered on



07.12.2024 by the informant without any explanation for the said long delay. It is further submitted that the basis for making the petitioner as an accused in the alleged occurrence is simply suspicion raised by the informant and his family members who during the course of searching for the victim received an information about the petitioner's involvement in the alleged kidnapping of the victim but except this suspicion, there is nothing material and further the informant has not disclosed the source from which he and his family members received the said information with regard to the petitioner's involvement in the alleged crime. It is lastly submitted that in fact the so-called victim had love affair with co-accused Sunny Jha with whom she is presently residing in Delhi as per his information and after the petitioner was taken into custody, the police did not succeed to get any information to substantiate the informant's allegation as to the petitioner's involvement in the alleged crime and simply on the basis of suspicion, he has been chargesheeted and there is good chance of acquittal of the petitioner.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that the victim has not been recovered till date and the investigation is still running in respect of other co-accused persons.



5. Considering the facts and circumstances of the case as well as aforesaid submissions and mainly the petitioner's clean antecedent, his custody period and young age and also the fact that in respect of the petitioner's involvement in the alleged crime, the prosecution is mainly relying upon the suspicion raised by the informant only upon that basis, the petitioner has been chargesheeted, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Rajapakar P. S. Case No. 474 of 2024 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

Rajiv/-

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