

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47919 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- MAHESHKHUNT District- Khagaria

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1. Aklesh Kumar @ Aklesh Yadav, S/o Vigo Yadav, R/o Village- Vidyarthi Tola, Pakrail, P.S.- Maheshkhunt, District- Khagaria
 2. Sonu Kumar, S/o Shankar Yadav, R/o Village- Vidyarthi Tola, Pakrail, P.S.- Maheshkhunt, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate.

For the State : Mr. Mohammed Arif, app

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Maheshkhunt P.S. Case No. 47 of 2025 dated 17.03.2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 324(4), 324(5), 352, 351(2), 351(3) of B.N.S., 2023 and Section 27 of the Arms Act, 1959.

3. As per allegation, the altercation took place between the informant and the accused side. It is further alleged



that Anil Yadav was grievously injured on his head by the butt by co-accused Niranjan Yadav. As per further allegation, the petitioner Aklesh Kumar @ Aklesh Yadav used *farsa* to assault.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that in altercation, both sides have got injuries and case and counter case have been filed. The counter case filed by the petitioner side against the informant side bears Maheshkhunt P.S. Case No. 48 of 2025. He also submits that the allegation against co-accused Niranjan Yadav is more serious because Anil Yadav (father of he informant) has got grievous injury by Niranjan Yadav whereas as per alleged assault by Aklesh Kumar @ Aklesh Yadav (Petitioner No.1), nobody has got injured. There is no allegation of assault against petitioner No. 2. He also submits that co-accused Niranjan Yadav has already been enlarged on anticipatory bail by learned court below itself.

5. It is also stated in paragraph No. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph No.3 of the bail petition that the petitioners have clean antecedents.



7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the fact that co-accused Nirranjan Yadav has already been enlarged on anticipatory bail and the case of the petitioner stands on better footing as well as in view of the fact that there is case and counter case and there is no injury caused by the petitioners to anybody else as per FIR itself, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned court below, in connection with Maheshkhunt P.S. Case No. 47 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedent, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of



the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

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(Jitendra Kumar, J)

