

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47472 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- DIGHWARA District- Saran

Akash Kumar, S/o Akhilesh Mahto, R/o Village- Manupur, Ward No 8, P.S.-
Dighwara, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-11-2025 Heard Mr. Khushi Awadh, learned counsel for the
petitioner and Mr. Yogendra Kumar, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Dighwara P.S. Case No. 42 of 2025 dated 14.02.2025 registered for the offences punishable under Sections 137(2), 96 and 3(5) of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by the petitioner's counsel are that though the petitioner has one criminal antecedent but he has been acquitted in the said case, the so-called victim has been recovered and she has recorded her statement before the Judicial Magistrate under Section 183 of the BNSS, in which she has not supported the allegations levelled by her father in the FIR. It is further submitted that the the prosecution's story narrated in the FIR completely differs from the story narrated by the victim in her statement, which



falsifies the allegation.

4. Learned APP for the State has opposed the petitioner’s prayer for bail and submits that there is a serious allegation against the petitioner in the FIR.

5. In the facts and circumstances of the case, considering the above-stated facts and mainly the victim’s statement recorded before the Judicial Magistrate, which goes against the prosecution’s allegations levelled in the FIR, in my opinion, it is a fit case for grant of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail 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 in connection with Dighwara P.S. Case No. 42 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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