

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54902 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- DIDARGANJ District- Patna

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Akash Kumar @ Bhutta S/o Anil Kumar Singh @ Anil Prasad Resident of
Village- Mohammadpur, PS- Didarganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 05-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Didarganj P.S. Case No. 283 of 2024 registered for the offences punishable under Sections 109, 3(5) of BNS and Section 27 of the Arms Act.

3. As per prosecution case, informant was standing in front of the shop along with his grandson to purchase a nipple to feed milk and meanwhile, 4-5 persons came to demand money from the petitioner and others. It is alleged that petitioner and others concertedly started chasing the aforesaid persons and during the course of chase, co-accused Mukesh Kumar fired from his pistol which hit the right palm of informant's grand son as a result of which he sustained injury.



4. Learned counsel for the petitioner submits that there is no specific allegation of firing against the petitioner rather the allegation of firing is against co-accused Mukesh Kumar. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to dirty village politics. He further submits that on similar and identical allegation, co-accused Kunal Kumar has already been granted anticipatory bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 89202 of 2024 and on the principle of parity, petitioner also deserves anticipatory bail. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that petitioner is FIR named accused person. Hence, he cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, co-accused has already been granted anticipatory bail by the Co-ordinate Bench of this Court, there is no overt-act against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Patna City, Patna in connection with Didarganj P.S. Case No. 283 of 2024, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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