

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56280 of 2025

Arising Out of PS. Case No.-438 Year-2024 Thana- KALYANPUR District- East Champaran

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Akash Kumar S/o Munna Ram R/o Village - Pipra Khem, P.S - Kalyanpur,
District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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

ORAL ORDER

3 18-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Kalyanpur P.S. Case No. 438 of 2024, instituted for the offences punishable under Sections 127(1), 115(2), 61, 303(2), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that some unknown persons tied the informant's hand and feet and assaulted him. The accused persons, thereafter, took Rs. 25,000/- from the pocket of the informant, pushed the informant out of the four-wheeler and ran away with the vehicle. They also took the Samsung mobile of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Lal Sahab and the same has got no evidentiary value. It is next submitted that no any looted article has been recovered from the possession of the petitioner and the petitioner was not present at the place of occurrence. The petitioner is in custody since 31.05.2025 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 30.08.2025 passed in Cr. Misc. No. 57604 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kalyanpur P.S. Case No. 438 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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