

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59670 of 2025

Arising Out of PS. Case No.-451 Year-2024 Thana- MASHRAK District- Saran

Akhilesh Kumar Yadav @ Akhlesh Kumar Yadav @ Akhilesh Kumar S/O
Mukesh Ray @ Mukeshwar Ray Resident of Village- Muza Bangra, P.S.-
Deoria, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Kundan Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

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

ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mashrak P.S. Case No. 451 of 2024 instituted for the offences
under Sections 309(5) and 109(1) of the Bhartiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act. Subsequently,
Section 103 of the BNS is added.

3. As per prosecution case, the allegation against the
three unknown miscreants is of firing upon the Informant due to
which he sustained fire-arm injury in his abdomen.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of the statement *of* co-accused, namely, Aman Kumar and, except this, there is nothing against the petitioner. There is no eye-witness to the alleged occurrence. The only allegation against the petitioner is that he was involved in breaking the oil tank of the truck, whereas there is allegation of firing against co-accused, namely, Aman Kumar. The petitioner has one criminal antecedent and is languishing in judicial custody since 16.05.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. 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, there being no specific allegation of firing against the petitioner and 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mashrak P.S. Case



No. 451 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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