

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72771 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Aakash Kumar @ Aakash Kumar Sah S/O Muntun Sah @ Tuntun Sah Mohan
R/O Vill.- Lalpokhar Dighi, P.S.- Hajipur Sadar, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Hajipur Sadar P.S. Case No. 108 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 121(1), 74, 109, 324(4), 324(5), 352 of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, informant and other proceeded for regular patrolling. Meanwhile, thirteen accused persons including the petitioner and seven unknown persons armed with lathi, danda and rod came and surrounded the vehicles of informant and other and attacked upon them. It is alleged that co-accused Akhilesh Rai ordered to kill the informant and other. Thereafter, informant and other came out



from their vehicles, then, co-accused Chiku Rai used indecent word to the informant and misbehaved with her. Thereafter, when the associate of informant made effort to save the informant, he was also attacked and bullet was fired on him which passed close to ear of the said associate of the informant. It is alleged that informant and others were assaulted and their drivers were also brutally assaulted. It is alleged that vehicles of the informant and other were damaged badly.

4. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner rather the allegation is general and omnibus in nature. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that no injury report is available to support the allegation as alleged in the FIR. Seizure list has not been made as per law. 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 one of the accused persons who are said to have participated in the alleged occurrence. Hence, petitioner cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, allegation levelled against the petitioner is general and omnibus in nature, 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 C.J.M. Vaishali at Hajipur in connection with Hajipur (Sadar) P.S. Case No. 108 of 2025, 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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