

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.78768 of 2024**

Arising Out of PS. Case No.-62 Year-2024 Thana- NAYAGAON District- Begusarai

Akhilesh Kumar @ Anand Kumar S/o- Late Bipin Kumar Singh @ Bipin Singh Resident of Ward No. 02, Gorgama,P.S. Nayagoan, Dist- Begusarai, Bihar-851211.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 78069 of 2024**

Arising Out of PS. Case No.-62 Year-2024 Thana- NAYAGAON District- Begusarai

Mohan Kumar Singh @ Mohan Kumar Son of Late Ashok Singh Resident of Ward No. 02, Gorgama, P.S. - Nayagoan, District - Begusarai, Bihar-851211.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 78768 of 2024)

For the Petitioner/s : Mr. Yash Sahay, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

(In CRIMINAL MISCELLANEOUS No. 78069 of 2024)

For the Petitioner/s : Mr. Yash Sahay, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      22-03-2025      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest in connection  
with Nayagaon P.S. Case No.62 of 2024 registered for the  
offence punishable under Sections 126(2), 115, 117, 109 and



3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegation against the petitioners is to have assaulted the informant by means of butt of the pistol due to which he sustained grievous head injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that petitioners are named in the FIR. He next submits that petitioner in Cr. Misc. No.78768 of 2024, namely, Akhilesh Kumar @ Anand Kumar has got six criminal antecedents and petitioner in Cr. Misc. No.78069 of 2024, namely, Mohan Kumar Singh @ Mohan Kumar has also got one criminal antecedent as stated in para-3 of the bail petition. He further submits that the present case is nothing but a counter blast in relation with Nayagoan P.S. Case No.61 of 2024, which has been instituted against the informant's father and brother along with three other accused persons.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the petitioner, namely, Akhilesh Kumar @ Anand Kumar has got six criminal antecedents and petitioner, namely, Mohan Kumar Singh @ Mohan Kumar has got one criminal antecedent and if the petitioners shall be granted bail then they may tamper the



evidences and will hamper the trial in near future.

6. On perusal of the First Information Report, impugned order dated 04.10.2024 and case diary along with the injury report, it appears that the petitioners are named in the FIR and they have got criminal antecedents and also the fact that there is specific allegation against the petitioner, namely, Akhilesh Kumar @ Anand Kumar for causing grievous head injury sustained at the head of informant, namely, Abhisek Singh @ Abhisek Kumar, whereas, another petitioner, namely, Mohan Kumar Singh @ Mohan has also caused head injury to the informant's father, namely, Kamleshwari singh, which is found to be simple in nature, considering all aspects of the case, I am not inclined to grant bail to the petitioners.

7. Accordingly, the anticipatory bail of the petitioners is hereby rejected

**(Ramesh Chand Malviya, J)**

Harshita/-

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