

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75594 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- Bodhibigaha District- Gaya

Akash Kumar S/o Kamlesh Paswan R/o Village- Pokharpur, P.S.- Bodhi
Bigha, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Paras Nath, Advocate
For the State : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 309(6) and 103 of the B.N.S..

3. As per prosecution case, it is alleged that when
informant was returning along with his wife from Aurangabad
on 10.12.2024, in the meantime, he was surrounded by four
unknown persons between village Rampur and Mahudi Aahar,
who looted cash of Rs. 8,000/- and one Samsung mobile from
his wife. It is further alleged that one of the unknown miscreant
pointed out pistol towards informant, then, wife of informant
came forward and caught hold of him, where during the
scuffling one of the co-accused person open fired upon wife of
informant, leading to his death during the treatment at Dumariya



Govt. Hospital.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is not named in the F.I.R.. Name of petitioner transpired in this case during course of investigation merely on the basis of confessional statement of co-accused Suraj Kumar and Pankaj Kumar. Save and except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged offence. Co-accused Pankaj Kumar has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 07.10.2025 passed in Cr. Misc. No. 56444 of 2025. Petitioner is in custody since 26.12.2024.

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

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate,



Sherghati, Gaya in connection with Bodhi Bigha P.S. Case No.
79 of 2024.

(Prabhat Kumar Singh, J)

shashank/-

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