

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4102 of 2026

Arising Out of PS. Case No.-47 Year-2021 Thana- BHADAUR District- Patna

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Aakash Kumar S/o Shankar Ram R/o Village - Katni Kola Girihinda, P.S.-
Sheikhpura, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-01-2026 Heard Mr. Prem Kumar, learned counsel for the

petitioner and Mr. Ajay Kumar Jha, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
24.09.2025 in connection with Bhadaur P.S. Case No. 47 of
2021, F.I.R. dated 13.06.2021 for the offences punishable under
Sections 302 read with section 34 of the Indian Penal Code.

3. According to prosecution case, informant's father is
alleged to have been assaulted by the petitioner and others as a
result of which informant's father died.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. Learned counsel further submits that although the petitioner is named in the FIR but from perusal of the FIR it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the similarly situated co-accused person, namely, Mithun Kumar, has been granted bail by this Court vide order dated 16.05.2022 passed in Cr. Misc. No. 61911 of 2021, another co-accused person, namely, Mantu Mahto has been granted bail by this Court vide order dated 18.05.2022 passed in Cr. Misc. No. 70142 of 2021 and another co-accused person, namely, Kebee Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 19.10.2022 passed in Cr. Misc. No. 71448 of 2021. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 24.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances



of the case and also the fact that there is no specific allegation of any assault or overt act attributed against the petitioner in the FIR and the similarly situated co-accused persons have been granted bail by this Court or by a Coordinate Bench of this Hon'ble Court, let the petitioner, above named, 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 the learned S.D.J.M., Barh, District- Patna in connection with Bhadaur P.S. Case No. 47 of 2021, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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