

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27887 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- MAIRWAN District- Siwan

Akhilesh Chauhan Son of Bachcha Chauhan Resident of Village- English ,
P.S.- Mairwa, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

4 20-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Mairwa P.S. Case No. 02 of 2026, instituted for the offences punishable under Sections 128, 125(a), 125(b), 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later on Section 103(1) of the Bharatiya Nyaya Sanhita, 2023 has been added.

3. The prosecution case, in short, is that the petitioner and other co-accused persons allegedly hit the informant's son with a Scorpio vehicle, causing injuries, and thereafter resorted to indiscriminate firing while fleeing from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is no eye witness of the alleged occurrence. Both the parties are co-villagers. It is next submitted that there was no any intention of the petitioner to hit informant's son with his vehicle. It is next submitted that the victim was injured on 01.01.2026 and has died on 26.01.2026 due to negligence. The petitioner is in custody since 12.01.2026 and has got no criminal antecedent.

5. Learned APP 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 and taking into account 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mairwa P.S. Case No. 02 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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