

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34798 of 2026

Arising Out of PS. Case No.-345 Year-2025 Thana- LAKHAURA District- East Champaran

Akash Kumar S/o Anil Prasad Kushwaha @ Anil Kumar Kushwaha Resident
of Village -Jinarwa Phulwar, PS. - Lakhaura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

2. This application for anticipatory bail arises out
of Lakhaura P.S. Case No. 345 of 2025, registered for the
offence punishable under Sections 115(2), 126(2), 109(1), 333,
196, 351(2), 191, 352, 3(5) 30(a) of the Bharatiya Nyaya
Sanhita.

3. As per the allegation, the petitioner along with
other named co-accused persons and 50-60 unknown accused
persons, variously armed with lethal weapons, came to the door
of the informant and started abusing him, on protest, at the
exhortation of co-accused Jainath Prasad Kushwaha, co-accused
Sonu Kumar assaulted the informant by means of iron rod



leading to injuries on his eyebrow and fracture of his hand, while co-accused Pinkesh Kumar allegedly assaulted the informant by means of iron rod resulting into head injury. It is further alleged that co-accused Vivek Kumar and Sonu assaulted the son of the informant, namely, Sajid Alam, with iron rods as a result of which he sustained head injury and fell unconscious. It is also alleged that co-accused Shripatti Devi and Jainath Prasad Kushwaha assaulted Raish Alam with lathi and iron rod causing injuries on head and eyebrow. The accused persons also assaulted Tabrej Alam and Hasim Alam with iron rod and lathi causing fracture of arm to Hasim Alam and head injury to Tabrej Alam. It is also alleged that co-accused Pradeep Kumar brandishing revolver threatened that if anyone will come to intervene, he too will be eliminated.

4. Learned counsel for the petitioner has submitted that no specific overt act has been alleged against the petitioner, the specific allegation of assault is against co-accused Sonu Kumar, Jainath Prasad Kushwaha, Pinkesh Kumar, Vivek Kumar and Shripatti Devi. It has further been submitted that petitioner has been alleged to be a member of the unlawful assembly. It has further been submitted that good sense has prevailed between the parties and a compromise to this effect



has been filed in the court below. It has further been submitted that there is counter version of the present F.I.R. and the parties resorted to the free fight amongst themselves. It has further been submitted that there is no pre-mediation to kill. It has lastly been submitted that the petitioner has got no criminal antecedent.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances, let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 Chief Judicial Magistrate, East Champaran, Motihari, in connection with Lakhaura P.S. Case No. 345 of 2025, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita.

(Praveen Kumar, J)

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