

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35938 of 2026

Arising Out of PS. Case No.-43 Year-2026 Thana- GRIYAK District- Nalanda

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Akhilesh Kumar Son of Chandeshwar Mahto @ Shidheshwar Mahto @
Sudheshwar Mahato Resident of Village - Jabaharchak, P.S.- Katrisarai,
District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-06-2026 Heard Mr.Man Mohan Kumar, learned counsel for

the petitioner and Mr.Tapeshwar Sharma, learned APP for the

State.

2. The petitioner seeks bail, who is in custody since
22.01.2026 in connection with Giryak (Katrisarai) P.S. Case
No. 43 of 2026, F.I.R. dated 21.01.2026 registered for the
offence punishable under Sections 316(2), 318(4), 319(2),
336(3), 338, 340(2), 61(2), 3(5) of BNS, 2023 and Section
66(D),66(c) of I.T.Act, 2000.

3. As per the prosecution case, the informant,
alongwith police party, reached at the place of occurrence,
wherein the informant found some persons seated there and,
whereas probably engaged in cyber fraud, the persons sitting
there started fleeing away, while the petitioner along with co-



accused persons were arrested at the spot. They were searched and from the possession of the petitioner one screen touch mobile was recovered and from other co-accused persons different mobiles and other articles was recovered.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. It appears from the FIR that no incriminating article has been recovered from possession of the petitioner only one screen touch mobile was recovered from possession of the petitioner and petitioner has been made accused in the present case merely on the basis of suspicion. Further submits that the similarly situated co-accused person, namely, Kundan Kumar and others have been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 04.05.2026 passed in Cr. Misc. No.18441 of 2026 and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 22.01.2026.

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

6. Considering the aforesaid facts, petitioner has clean antecedent and similarly situated co-accused person, namely, Kundan Kumar and others have been granted bail 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 learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriak (Katrisarai) P.S. Case No. 43 of 2026, 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 his/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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