

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43756 of 2026

Arising Out of PS. Case No.-511 Year-2025 Thana- MADHAURAH District- Saran

Akshay Kumar, Son of Hari Kishor Sah, Resident of Village- Sarai (Sarai Box), P.S.- Garkha, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-07-2026 Heard Mr. Ranjit Kumar Thakur, learned counsel

appearing on behalf of the petitioner and Mr. Shailendra Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Marhowrah P.S. Case No. 511 of 2025, registered for the
offence punishable under Sections 309(6) of the BNS.

3. As per the allegations made in the FIR, three
unknown miscreants had allegedly entered into the shop of the
informant, committed robbery of cash amounting to
approximately Rs. 50,000 to Rs. 60,000 from the cash counter
along with certain silver ornaments, and, while committing the
offence, they had assaulted the informant by means of butt of
pistol.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. FIR is against unknown. Name of the petitioner has surfaced on the basis of confessional statement of co-accused Ashif Ali in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, which is against unknown. Name of the petitioner has surfaced on the basis of confessional statement of co-accused Ashif Ali in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. Learned District Court is directed to verify, as to whether, any stolen articles were recovered from the house of the petitioner. In case, if it is found that no stolen articles have been recovered from the house of the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail in the



event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Marhowrah P.S. Case No. 511 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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