

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78456 of 2025

Arising Out of PS. Case No.-545 Year-2024 Thana- MASHRAK District- Saran

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Akhilesh Ray @ Akhilesh Kumar S/O Bhuneshwar Ray Resident of Village-
Masrakh Gopalbari, P.S.- Masrakh, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate
For the State : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Masrakh P.S. Case No. 545 of 2024 dated 12.09.2024, registered
for the offences punishable under Sections 126(2), 115(2), 352,
351(2), 74, 118(1), 109(1), 303(2) and 3(5) of B.N.S., 2023.

3. As per allegation, on account of altercation, some
family members of the informant's side got injured.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the nature of injury allegedly
caused by the petitioner's side is simple in nature. He also
submits that altercation took place on account of property
dispute between the agnates causing injury on both sides and



lodging of case and counter case. The counter case filed by the petitioner's side is Masrakh P.S. Case No. 544 of 2024, registered for the similar offence against the informant's side in which some family members of the petitioner have got injury. He also submits that similarly situated co-accused, Mithlesh Kumar Rai has already been enlarged on regular bail by a co-ordinate Bench of this Court.

5. He further submits that the petitioner has been languishing in jail since 21.08.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one other case.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier for regular bail.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, particularly the case and counter case and nature of the injury is simple and similarly situated co-accused being already enlarged on regular bail, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing



bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Masrakh P.S. Case No. 545 of 2024 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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