

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79736 of 2025

Arising Out of PS. Case No.-269 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Akhilesh Kumar S/O Ram Pravesh Ray @ Rampadarath Ray @ Padaras Ray
R/o Vill.- Bangra Muza, P.S.-Deoria, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate
For the State : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt on behalf of the petitioner for grant of bail in connection with Motipur P.S. Case No. 269 of 2022 registered for the offence punishable under Sections 279/304(A) of the Indian Penal Code. Subsequently, Sections 302/120(B)/34 of the Indian Penal Code has been added.

3. Earlier the bail application of the petitioner has been rejected vide order dated 27.02.2024 passed in Cr. Misc. No. 75046 of 2023, which reads as under:

*“Heard learned Senior Counsel for the
petitioner and learned Additional Public
Prosecutor for the State.*

*2. The petitioner seeks bail in
connection with Motipur P.S. Case No. 269 of*



2022 registered for the offence punishable under Sections 279/304(A) of the Indian Penal Code. Subsequently, Sections 302/120(B)/34 of the Indian Penal Code has been added.

3. The role of the petitioner has come in the killing of the deceased. The deceased was killed by the accused persons and subsequently they tried to give the murder a colour of accident. The petitioner has criminal antecedent also. The petitioner is in custody since 01.07.2023.

4. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

5. Considering the above, I am not inclined to grant bail to this petitioner for the present. This application is dis-missed.

6. The trial Court is directed to expedite the trial. If there is no progress in the trial then the petitioner may renew his prayer for bail.”

4. In the trial, no witness has been examined and only charges have been framed. Similarly situated co-accused namely, Vikash Kumar @ Pakauri has been granted bail by this Court in Cr. Misc. No. 24312 of 2025 on 30.04.2025.

5. Considering the fact that the petitioner is in custody for about two and a half year, the delay in trial and the fact that the co-accused has been granted bail by this Court, this application is allowed.

6. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge 17th Muzaffarpur/



concerned Court in connection with Motipur P.S. Case No. 269 of 2022, subject to the condition that the petitioner will co-operate in the trial.

7. The petitioner will also mark attendance in Deoria Police Station, District- Muzaffarpur on the first and third Sunday of the month. Any default in appearance at the Police Station would result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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