

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86868 of 2025

Arising Out of PS. Case No.-113 Year-2025 Thana- CHIKSAUR District- Nalanda

Aakash Kumar S/O Sujit Kumar R/O Vill- Chakmahadipur, P.S - Chiksaura,
Dist - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Birendra Kumar, learned counsel for the

petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chiksaura P.S. Case No. 113 of 2025, F.I.R. dated 04.07.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 352, 3(5) of the Bhartiya Nyay Sanhita, 2023 and under Section 27 of the Arms Act.

3. As per the First Information Report, the informant alleged that when he was standing near his gate then the petitioner along with other co-accused persons came and started abusing him. When he objected then the accused persons dragged him outside his house and assaulted him by means of pistol.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR itself that the petitioner is not named in the FIR and his name transpired on the basis of re-statement of the witnesses. From bare perusal of the FIR it appears that there is no specific allegation against the petitioner and the co-accused person, namely, Anish Kumar @ Anish Yadav, who is named in the FIR has been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 25.09.2025 in Cr. Misc. No. 65527 of 2025

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and he is not named in the FIR and similarly situated co-accused person has been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 J.M-1st class, Hilsa, Nalanda in connection with Chiksaura P.S. Case No. 113 of 2025, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure /
Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and
with other 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 absence on two consecutive dates without sufficient reason, his 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 bond 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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