

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89689 of 2025

Arising Out of PS. Case No.-518 Year-2025 Thana- BARH District- Patna

Akhilesh Kumar S/o Jageshwar Yadav Resident of Village- Laheria Pokhar,
P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 24-02-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Barh P.S. Case no. 518 of 2025 registered under sections 317(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, sections 25(1-B)a, 26 and 35 of the Arms Act, 1959 and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a raid being conducted in the house of one Rajendra Yadav, it is stated that two country made pistols, two live cartridges, 22.65 litres of IMFL and 7 empty cartridges were recovered and the three



accused persons including the petitioner herein were taken into custody.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Accepting the allegations levelled in the FIR, no incriminating article has been recovered from the house of the petitioner. The alleged recovery is from the house of co-accused Rajendra Yadav. The petitioner is in custody since 6.9.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the petitioner being in custody for more than five months since 6.9.2025, chargesheet having been submitted in the case and specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Barh P.S. Case no. 518 of 2025 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 Exclusive Special Judge Excise, Barh (Patna).

7. It may be observed here that in case it transpires that the petitioner had criminal antecedent, the prosecution will



be at liberty to move this Court for cancellation of bail of the
petitioner.

(Partha Sarthy, J)

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