

IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-I, GAYA
ANTICIPATORY BAIL PETITION No. 2033/2026

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Akash Kumar S/o Dinesh Vishwakarma

R/o Village- Bhadeja, P.S.- Muffassi, District- Gaya

----- Petitioner

VERSUS

The State of Bihar

----- Opposite Party

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23.06.2026

An anticipatory bail application has been filed on behalf of above named accused/petitioner, who is apprehending his arrest, in connection with ***Muffassil P.S. Case No. 56/2026***, for the offences registered **U/s. 303(2), 317(2), 111(3), 111(4) of B.N.S. & 21 (MM&DR) 1957 & 56 B.M. (CPIMTS) Rule 2024, pending in the Court of Ld. C.J.M., Gaya.**

2. Heard both the sides on the bail application.

3. Learned defence counsel, submitted that prior to this, the petitioner has not filed any anticipatory bail before this Court or the Hon'ble Patna High Court. It is further submitted that petitioner is innocent, committed no offence and has falsely been implicated in this case. It is further submitted that petitioner is neither the owner nor the driver of the alleged seized tractors, rather his name has come into the picture as member of unlawful assembly at the instance of local chowkidar. Several co-accused persons have already been granted anticipatory as well as regular bail by Ld. A.S.J.-XIII, Gaya, Ld. Principal District & Sessions Judge, Gaya as well as this Court and the case of the accused petitioner is stands on better footing. Lastly he submitted that petitioner has one criminal antecedent as Muffassil P.S. Case No. 367/2025 in which his is on bail. Hence, it is prayed for grant the privilege of anticipatory bail to the accused petitioner.

4. Per contra the Ld. A.P.P. appeared on behalf of State has opposed the prayer for bail.

5. The prosecution story, in brief is that informant Navin Kumar submitted a written application before S.H.O Mufassil P.S alleging therein that on 17.01.2026 at about 05:30 A.M he got an information that about 50-60 persons by forming an unlawful assembly were extracting sand from Falgu River by 20-25 tractors. On the basis of information, he along with other arms forces reached there but on seeing the police force the tractor drivers were trying to flee away but with the help of force, 17 tractors with dalla and one dalla were seized loaded with sand and after

some time local chaukidar disclosed the name of other accused persons who were involved in illegal extraction of sand.

6. Heard both the parties and perused the material available on record. From perusal of the case record, it appears that the name of the accused petitioner came into this case as the member of unlawful assembly. Petitioner is neither the owner nor driver of of the alleged tractors. Petitioner neither caught on the spot nor anything has been recovered from his possession. Petitioner admitted to have one criminal antecedent vide para 03 of his bail petition. Moreover the anticipatory bail of other co-accused persons have already been granted by Ld. A.S.J.-XIII, Gaya, Ld. Principal District & Sessions Judge, Gaya as well as this Court vide A.B.P. No. 673/2026, A.B.P. No.1451/2026 and A.B.P. No. 1502/2026, A.B.P. No.1847/2026 & A.B.P. No. 1852/2026 dated 07.03.2026, 17.04.2026, 24.04.2026 & 18.05.2026 respectively.

7. Considering the aforesaid facts and circumstances of the case and other materials on record, this court thinks it fit to grant the privilege of anticipatory bail to the petitioner. Accordingly, it is directed that in the event of his arrest or surrender before the Ld. Court below within a month from the date of this order, the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each along with all conditions stipulated u/s. 482 of BNSS.

(Dictated)

Sd/-

(Shashi Kant Ojha)
Addl. Sessions Judge-1, Gaya
23.06.2026