

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 21<sup>nd</sup> April, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

B.A. No. 183/2026 (Arising out of Bihra P.S. Case No. 167/2025)

Akhlesh Kumar @ Akhilesh Kumar..... Petitioner Vs State of Bihar

**In the matter of :-**

Akhlesh Kumar @ Akhilesh Kumar S/o Sanjay Yadav

Resident of Village Chitti, P.S. Ghailadh District Madhepura.

....Petitioner

Vs

State of Bihar

.....Opposite Party

**Appearance :-**

For the Petitioner :- Sri Ajit Narayan Yadav, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sr. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	21.04.2026	<p>This bail petition has been filed on behalf of the petitioner namely <b>Akhlesh Kumar @ Akhilesh Kumar</b> S/o Sanjay Yadav who is in custody since 31.01.2026 in connection with Bihra P.S. Case No. 167/2025 registered under Sections 309(4) of BNS, 2023.</p> <p>2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State.</p> <p>3. It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 31.01.2026. it is further submitted that petitioner bears criminal antecedent of three cases. It is further submitted that petitioner is quite innocent and has committed no offence and he has falsely been implicated in this case only on the basis of confessional statement of co-accused. It is further submitted that no article has been recovered from the possession of the petitioner. It is further submitted that petitioner is a man of means and he is ready to furnish sound sureties to the full satisfaction of the court. Upon these grounds, the learned counsel prays to grant bail to the petitioner.</p> <p>4. On the other hand, the learned P.P. has vehemently opposed the prayer of bail.</p> <p>5. Rival submissions considered, Record perused.</p> <p>6. The prosecution case, in brief, is that the informant Om Prakash Giri, an employee of L&amp;T Finance Company, had gone for loan collection on 04.07.2025 and, along with another staff member, collected a total sum of Rs. 93,350/-, which was kept in a bag in the dickey of his vehicle along with certain documents and a company device. It is alleged that while returning in the evening, near a canal, four</p>	

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unknown persons riding on a motorcycle intercepted them and, by showing weapons, forcibly took away the bag containing cash, documents, and the device, and fled away from the place of occurrence. On the basis of the said allegations, the present case has been instituted.

7. The name of the petitioner not mentioned in the F.I.R. The name of this petitioner came for the first time in the confessional statement of co-accused Bhushan Kumar. The petitioner is in custody since 31.01.2026 and till date the petitioner has not been put to TIP.

8. Nothing was recovered from or at the instance of the petitioner connecting him with the alleged incident in question.

9. The petitioner is having three criminal antecedents, however, merely on the basis of criminal antecedents the petitioner cannot be denied bail in the peculiar facts and circumstances of this case. For reference **Prabhakar Tiwari Vs. State of U.P. and another, 2020 (11) SCC 648...** may be seen.

10. Considering the totality of the facts and circumstances, a case to grant bail to the petitioner accused namely Akhlesh Kumar @ Akhilesh Kumar is made out. Resultantly, the prayer for bail is **allowed**. The petitioner be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down under Section 480(3) of the BNSS.

(Dictated)



(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

21.04.2026

Date of Judgement/Order	21.04.2026
Date of Reserving Judgement/Order	21.04.2026
Uploading Date	23-04-26
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