

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82598 of 2024

Arising Out of PS. Case No.-1465 Year-2023 Thana- DANAPUR District- Patna

Akhilesh Singh Son of Shri Harendra Singh Resident of Mohalla/ Village -
Bajariya Baruhi, P.S.- Sahar, District- Bhojpur, Arrah at present Saguna More,
Near Gas Godown, Renter of Parwez House, P.S. - Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Sharma

For the Opposite Party/s : Mr.Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in Sessions Trial No. 574 of 2024 arising out of Danapur P.S. Case No. 1465/2023 dated 23.11.2023 registered for the offence punishable u/s 302 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the informant's son returned from Delhi on the occasion of Chhatha Puja, who had solemnized love marriage with Anshu Kumari one year ago. It has been further alleged that the co-accused persons were threatening to kill the informant's son for one month. When the informant's son returned on 22-11-2023, the co-accused persons,



Baban, Soordas, Akhilesh and Sanju Kumar took him on a Motorcycle. The informant made phone call to the petitioner Akhilesh in the last night and he told her that Baban, Soordas, Sanju, Randhir and her son Shubham were consuming liquor in a graveyard. When the informant's son did not return to house, she again called the petitioner, but he did not pick up the Phone. On 23-11-2023, the informant again called the petitioner Akhilesh and he told her that he had left her son near the house of the co-accused Randhir. On the same day at about 1.30 O'clock, the informant received an information that his son was lying dead in Mainpura graveyard. On this information, she along with her family went there and found his son lying dead. The informant has alleged that Randhir Kumar, Sanju Kumar, Baban, Soordas and Akhilesh had killed her son due to inter cast marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. There is no eyewitness to the alleged occurrence. The petitioner has no concern with the deceased. There is nothing against the petitioner except suspicion. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The



petitioner is in custody since 24.11.2023. Similarly situated co-accused has already been granted regular bail by this court vide order dated 23.09.2024 passed in Cr. Misc No. 31162 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. During investigation the co-accused Sanju Kumar and the petitioner Akhilesh Singh were arrested and they confessed their involvement in the alleged occurrence and the petitioner, Akhilesh Singh stated that the knife used in the alleged murder of the informant's son was recovered from the bush near Majar. As per the post-mortem report, the cause of death is due to haemorrhage and shock due to injury caused by sharp object leading to cardio-respiratory failure.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna, in connection with Danapur P.S. Case No. 1465/2023, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

U		T	
---	--	---	--

