

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3799 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- ALAMGANJ District- Patna

Akash Kumar S/O Rakesh Prasad a resident of Mohalla- Bhagbhoop Singh Lane, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Alamganj P. S. Case No. 15 of 2024, dated 07-01-2024 instituted for the offence punishable under Sections 341,324,307 and 302 of the Indian Penal Code.

3. The prosecution case, in short, is that on 06-01-2024 at around 7 PM, informant was invited by his friend Akash kuamr to Goden Banquet Hall along with another friend and two girls. A birthday party was celebrated there, and the hosts objected at inviting girls, leading to an argument and a scuffle, which was soon resolved. It is further alleged when they were asked to leave, another quarrel took place. During this, informant's brother, Aman Kumar, arrived to intervene.



Suddenly, Akash Kumar (petitioner), stabbed the informant's brother at the back by means of knife. When a banquet hall worker, Vikash, tried to stop him, he was also stabbed. Petitioner then ran away. Both injured were taken to NMCH, where informant's brother was declared dead, and Vikash remained under treatment.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is submitted that although there is a specific allegation against the petitioner of stabbing the deceased at the back with a knife, but the postmortem report does not corroborate this allegation and reveals that the deceased, who is the brother of informant, sustained two injuries on the front of his chest, which contradicts the prosecution's version. It is submitted that three criminal cases are pending against the petitioner. He has been in custody since 09-01-2024, and charge sheet has already been submitted in this case.

5. On the other hand, learned APP for the State has vehemently opposed the prayer for bail by submitting that there is a direct allegation against the petitioner of stabbing the deceased at the back with a knife. It is also submitted that in para 14 of the case diary, the statement of one of the injured



persons, Vikash Kumar was recorded, wherein he supported the prosecution's case by stating that the petitioner assaulted him with a knife causing injuries to his hand and chest. It is further submitted that several other witnesses, who were present at the scene of the occurrence, have supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature and gravity of the allegation, I am not inclined to grant bail to the petitioner at this stage.

7. The Trial Court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of one (01) year from the date of receipt or production of a copy of this order. In the event, the trial is not concluded within the stipulated period, the petitioner shall be at liberty to renew his prayer for bail after the expiry of one year.

8. Accordingly, the present bail application stands dismissed.

(Khatim Reza, J)

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