

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21350 of 2025

Arising Out of PS. Case No.-253 Year-2019 Thana- SAKRA District- Muzaffarpur

Akhilesh Yadav @ Akhilesh Kumar S/o Bilat Yadav @ Vilat Ray, R/o of Village- Piparpatia, P.S.- Piya, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Vijay Kumar Singh, Advocate
For the Informant	:	Ms. Poonam Kumari, Advocate
		Mr. Brahmaputra Singh Ishu, Advocate
		Mr. Akshika Kriti, Advocate
For the State	:	Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Sakra P.S. Case No. 253 of 2019 dated 01.06.2019, registered for the offences punishable under Sections 307, 302/34 and 506 of the Indian Penal Code.

3. As per the prosecution case, the son of the informant was shot dead by unknown miscreants while he had been returning home after withdrawing money from ATM. The informant named the petitioner who earlier threatened his son with life. While being taken to higher centre for treatment, the son of the informant died on the way.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Informant is not an eyewitness and he has named this petitioner in the alleged occurrence merely on the basis of suspicion. The informant had himself taken a loan of Rs. 30,000/- (Rupees thirty thousand only) from the petitioner, a few months prior to the alleged occurrence and taking advantage of the said occurrence, the informant tried to implicate the name of the petitioner in the present case. The petitioner never threatened the informant at any point of time. The implication of the petitioner is further on the basis of statement of one Surya Kumar @ Gopi who accompanied the deceased when he went to withdraw the money from ATM, and this witness has filed an affidavit before the Court of learned Additional Chief Judicial Magistrate-XII, East Muzaffarpur on 18.01.2023 submitting that one unknown person fired the shot upon the deceased Rajan Kumar and the said person was not this petitioner. During the course of investigation no cogent material has come up to show the involvement of the petitioner in the occurrence as alleged. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned



counsel lastly submits that petitioner is in custody since 02.12.2024.

5. Learned counsel appearing on behalf of informant as well as learned A.P.P. appearing on behalf of the State oppose the submissions made on behalf of the petitioner. Learned APP submits that witnesses examined during investigation have also named this petitioner especially the person namely, Surya Kumar, who accompanied the deceased and thus, this witness being an eyewitness named the petitioner for firing the shot upon the son of the informant which proved fatal.

6. In view of the direct, specific and serious nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. Accordingly, the petitioner's prayer for bail stands rejected.

(Arun Kumar Jha, J)

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