

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31573 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- AKBARNAGAR District- Bhagalpur

Shahid Raza @ Raju @ Shahid Khan Son of Nasim Khan Resident of village
- English Chirone, Police Station - Akbarnagar, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishwanath Pd. Sinha, Sr. Adv. Md. Najmul Hodda, Adv. Ms. Ayushi Chaudhary, Adv.
For the Opposite Party/s :		Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Akbarnagar P.S. Case No. 128 of 2024,
registered for the offence punishable under Sections 140(2),
103(1), 238 and 61(2) of the BNS.

3. Based upon the written report, the prosecution
alleges that on the fateful day, when the brother of the informant
left his house, without disclosing anyone, in the meantime, a
call came from his brother's mobile to the informant's mobile
number. The caller has made a demand of Rs. 5 lakhs and
threatened that pay the money, otherwise his brother will be
killed. Soon thereafter, another call has been received on his



another mobile phone, for demand of Rs. 5 lakhs and similar threatening was given with a warning that if he will inform the police, he has to face the consequences. The informant made all the efforts to search his brother, but could not find him and, thereafter, the present FIR came to be lodged.

4. Mr. Vishwanath Pd Sinha, learned Senior Advocate for the petitioner contended that the FIR has instituted against unknown miscreants. However, during the course of investigation, co-accused Sikandar Yadav was apprehended and on his disclosure, the dead body of the brother of the informant was recovered. It is the co-accused Sikandar Yadav, on whose confessional statement, the name of the petitioner transpired. Save and except the confessional statement, there is no cogent material showing the complicity of the petitioner in crime. All the more, the petitioner has been incarcerated since 14.11.2024 and the charges have been framed, as has been instructed by the petitioner. He further submits that though the petitioner has been made accused in connection with Akbarnagar P.S. Case No. 31 of 2022, besides the present one, however, he is on bail in the said case.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the



during the course of investigation, a motorcycle was seized and this petitioner has identified that the motorcycle was used in the crime also, apart from the name of the petitioner has surfaced on the confessional statement of co-accused.

6. Having considered the submissions advanced by learned Advocate for the respective parties and considering the materials collected during the course of investigation, coupled with the serious nature of allegation, this Court is not persuaded to the prayer for bail of the petitioner. Accordingly, the prayer of the petitioner stands rejected for the present.

7. This Court expects that the learned trial Court shall take all the endeavours to conclude the trial, as early as possible.

(Harish Kumar, J)

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