

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37043 of 2025

Arising Out of PS. Case No.-208 Year-2022 Thana- DANAPUR District- Patna

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Akshay Kumar S/o- Suresh Kumar @ Suresh Yadav R/o- Polsan Near Bank
of Baroda Ps- Digha Dist- Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Sr. Advocate
Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 15-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Sessions
Trial Case No. 412 of 2024 arising out of Danapur P.S. Case No.
208/2022, registered for the offence under Sections 302, 34,
120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. The accused/petitioner is not named in the F.I.R. and
is in custody since 08.02.2024.

4. As per FIR, some unknown miscreants killed the
husband of the informant.

5. Learned counsel appearing on behalf of the petitioner
submitted that the petitioner implicated falsely with the present
case merely on the basis of suspicion, as his name transpired
during investigation on the basis of confessional statement of co-
accused Harsh @ Parbat, in furtherance of which no incriminating



material appears recovered/surfaced during course of investigation as to connect petitioner *prima facie* with present occurrence of murder. It is pointed out that the said co-accused Harsh @ Parbat has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 58364 of 2023 dated 05.12.2023 and the case of this petitioner stands on similar footing, and, therefore, as per judicial parity, this petitioner also deserves bail. It is also pointed out that the petitioner was not called to join TIP as yet. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. Explaining criminal antecedent, it is pointed out that the petitioner found involved in two more criminal cases, where he is on bail.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused, *prima facie* nothing incriminating appears against this petitioner during investigation as to connect him with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 08.02.2024, accordingly,



petitioner above named, is directed to be released on bail in connection with Sessions Trial Case No. 412 of 2024 arising out of Danapur P.S. Case No. 208/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Danapur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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