

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2691 of 2025

Arising Out of PS. Case No.-100 Year-2024 Thana- SAHJAHANPUR District- Patna

Akhilesh Yadav @ Akhilesh Prasad S/o Nagina Yadav R/o Vill/Mohalla-
Rupaspur, P.S.- Chiksaura, Distt- Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Sima Devi W/o Upendra Manjhi R/o Vill- Arai, Ward No. 15, P.S.-
Shahjahanpur, Distt- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mrs. Vaishnavi Singh, Advocate
	:	Mr. Ritwik Thakur, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	Mr. Amar Nath Yadav, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 17-11-2025 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant.

2. The instant appeal has been filed by the appellant
against the order dated 05.06.2025 passed by learned Exclusive
Special Judge, SC/ST Act, Civil Court (Sadar), Patna whereby
the prayer for bail of the appellant in connection with Special
Case No. 456 of 2024 arising out of Sahjahanpur P.S. Case No.
100 of 2024 under Sections 303(2), 103(1), 105, 3(5) of th
Bharatiya Nyaya Sanhita, Section 27 of the Arms Act and
Section 3(2)(v) of SC/ST Act was rejected.



3. The prosecution case in short is that on the alleged date and time, unknown miscreants allegedly stole two she-goats belonging to one Vijay Manjhi. When the thieves were chased by 5–6 villagers, including the informant's husband, they allegedly opened fire near the river. One of the shots hit Upendra Manjhi on his thigh, causing him to fall. He was taken for treatment and later referred to NMCH, where he was declared dead. Meanwhile, on seeing his uncle bleeding and injured, the informant's nephew, Rajiv Manjhi, fainted, suffered a heart attack, and also died.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. appellant is not named in the F.I.R. The name of the appellant transpired in this case on the basis of confessional statement of co-accused. Learned counsel further submitted that no eye-witness has named the appellant. Learned counsel further submitted that T.I.P. has not been conducted till date. No incriminating article has been recovered from the conscious possession of the appellant. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant



has no intention to disgrace the image of the informant in public view. The appellant is in custody since 20.01.2025 and has seven criminal antecedents.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant, stating that as per the material available in the case diary, the co-accused Paras Paswan in his confessional statement has disclosed that it was this appellant who fired upon the deceased which is further supported by the and, therefore, the appellant does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also there being ample material against the appellant in the case diary, this Court is not inclined to grant bail to the appellant.

7. Accordingly, the present appeal is dismissed.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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