

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.717 of 2025

Arising Out of PS. Case No.-451 Year-2024 Thana- ALAMGANJ District- Patna

Shashi Yadav S/O 4Arun Yadav R/O vill - Ghasiyari tola, Chorwa Mandir, P.S
- chowk, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

5 08-04-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 451 of 2024 instituted for the offences
under Sections 307, 302 of the Indian Penal Code and Section
27 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner is of being involved in the commission of murder of
the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to local party politics. The petitioner is not named in the



F.I.R. and was apprehended by the police in course of investigation merely on the basis of suspicion and, thereafter, his confessional statement was recorded before the police which has no evidentiary value in the eye of law. Except confessional statement, there is nothing adverse against the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has four criminal antecedents and in all the cases, he is on bail. The petitioner is languishing in judicial custody since 06.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Informant, in her re-statement, has corroborated the allegations made in the F.I.R. and has also taken the name of the petitioner. The co-accused Soni Kumar, in Para-52 of the case diary, has supported the prosecution case. The petitioner in her confessional statement has also confessed his guilt of being involved in the alleged occurrence. Postmortem report supports



the prosecution case. The Investigation Officer, after completion of investigation, has submitted the charge-sheet against the petitioner under Sections 341, 307, 324, 302, 120(B)/34 of the I.P.C. and Section 27 of the Arms Act. The petitioner has also four criminal antecedents and, hence, he does not deserve bail.

6. Learned counsel for the State further submits that the prayer for bail of the co-accused Ranjan Yadav has already been rejected by this Court vide order dated 23.01.2025 passed in Cr. Misc. No. 77824 of 2024.

7. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner, at this stage.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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