

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73357 of 2025

Arising Out of PS. Case No.-93 Year-1997 Thana- TEKARI District- Gaya

Akal @ Shakal Deo Prasad Son of Late Jogi Saw Resident of Village - Khoji,
P.S.- Bandeya (Golt), District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

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

ORAL ORDER

6 13-03-2026 Heard learned counsel for the petitioner and Ms. Renu
Kumari, learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Tekari
P.S. Case No. 93 of 1997, instituted for the offences under
Sections 147, 148, 149, 302, 291 and 201 of the Indian Penal
Code and Section 17 of the CLA Act.

3. Prosecution case, in short, is that petitioner along
with other co-accused persons committed murder of father of
the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
petitioner is not named in the F.I.R. and the name of the
petitioner has come after lapses of sixteen years at the
supplementary Charge-sheet. He further submitted that, in fact,



specific allegation is against co-accused Gopal Yadav, who has taken away the deceased for Panchayat and they have committed murder. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel for the petitioner further submits that other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 24.10.2013 passed in Cr. Misc. No. 34241 of 2013. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.05.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submitted that Charge-sheet has been submitted in this case showing the petitioner as absconder.

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed,*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Tekari P.S. Case No. 93 of 1997, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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