

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78432 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- KUSHESHWARASTHAN District-
Darbhanga

Prabhakar Yadav S/O Sakaldev Yadav R/O Village- Sirwar, P.S- Mahishi and
Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar Prasad Singh, Advocate
For the State	:	Mr. Dr.Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

3 06-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Kusheshwar Asthan P.S. Case No. 21 of 2025 registered for the
offences punishable under Section 103 of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act.

3. The informant's elder brother, a teacher at Utkramit
High School, was shot dead after leaving for school. The
deceased had ongoing disputes with Headmaster Ram Chandra
Paswan, including a recent altercation over indecent remarks
towards a female teacher, and had expressed fear of being killed.
The informant suspects the Headmaster along with adversaries
Ganga Prasad Yadav, Shivdhari, and Pappu Yadav, of



conspiring in the crime.

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. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case during investigation. Learned counsel for the petitioner submits that except suspicion, there is no material against the petitioner. It is submitted that even the CDR report also does not confirm about the connectivity of one accused to another accused. Petitioner was not even put on T.I. Parade to ascertain his complicity in the alleged occurrence. Petitioner is languishing in custody since 15.05.2025, having twelve (12) criminal antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that co-accused in his confessional statement has confessed his guilt and has very categorically stated the manner in which alleged occurrence took place, wherein petitioner facilitated to commit the crime.

6. Considering the rival submissions made by the learned counsel for the parties and taking into account the material available on record as also criminal antecedents of the



petitioner, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail is hereby *rejected*.

7. However, petitioner will be at liberty to renew his prayer for bail in the Court below, if the trial is not concluded within a period of six months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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