

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4607 of 2025

Arising Out of PS. Case No.-313 Year-2025 Thana- MUFFASIL District- West Champaran

Akhilesh Kumar S/o- Late Chhotelal Ram R/v- Budha Colony ITI Ps- Bettiah
Muffasil Dist- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Jitan Ram S/o- Late Ramdeo Ram R/v- Barwat Sena Ps- Bettiah Muffasil
Dist- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sharad Kumar Verma, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	Mr. Harsha Shashwat, Advocate

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

ORAL ORDER

4 12-03-2026 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 14.10.2025 passed by learned 1st
Additional Sessions Judge-cum-Special Judge, SC/ST Act, West
Champaran at Bettiah whereby the prayer for bail of the
appellant in connection with Bettiah Muffasil P.S. Case No. 313
of 2025 under Sections 190, 191(1), 191(2), 126(2), 118, 103(1)
of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r)(s),
3(2)(v) of SC/ST Act was rejected.

3. The prosecution case, in short, is that accused



persons including the appellant killed the father of the informant by giving knife blow.

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 during investigation on the basis of confessional statement of co-accused recorded before police which has no evidentiary value in the eye of law. He further contended that as per the material surfaced during investigation, the specific allegation is against co-accused Dhoni Yadav. 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. Charge-sheet has been submitted in this case. The appellant is in custody since 13.06.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case, there being no direct material against the appellant



and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 14.10.2025 passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, West Champaran at Bettiah in connection with Bettiah Muffasil P.S. Case No. 313 of 2025 is hereby set aside.

7. Let the appellant, abovenamed, be released on bail 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 Bettiah Muffasil P.S. Case No. 313 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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