

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61538 of 2024**

Arising Out of PS. Case No.-71 Year-2024 Thana- SIMRI BAKHTIYARPUR District-  
Saharsa

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Prince Kumar S/o- Arjun Kumar @ Arjun yadav R/0 village- Mariya, P.S-  
Basnahi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiva Shankar Sharma, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      28-11-2024                      Heard learned Counsels for the petitioner, State and  
  
informant.

2. The petitioner is in custody in connection with  
  
Bakhtiyarpur P.S. Case No. 71 of 2024 for the offence punishable  
  
under Sections 302, 201, 120B of the Indian Penal Code and 27 of  
  
the Arms Act lodged on 20.02.2024 by the informant, Saroj Paswan.

3. As per the prosecution story, the informant (*chowkidar*)  
  
informed that while moving in the orchard of Late Shyam Sundar  
  
Singh, found a person dead. Accordingly, Bakhtiyarpur P.S. Case No.  
  
71 of 2024 was lodged. It came to the notice of the family of the  
  
deceased and they identified the body. Subsequently, the  
  
investigation started and arrived at the door of Saurav Kumar who  
  
gave the confession that this petitioner was having issue with the  
  
deceased inasmuch as he had opened fire causing injury to the  
  
petitioner. He accordingly made a plan along with his friends, Saurav

included, Satish and Golden, the deceased was taken to the place, they consumed Ganja and, thereafter, while Saurav hit him on his head, Satish opened fire causing injury. This petitioner who had planned the entire conspiracy was regularly in touch and thereafter, directed Saurav to crush the SIM that has been used and leave the place.

4. Though learned Counsel for the petitioner tried to impress upon this Court that even going by the statement of Saurav Kumar, it is clear that Saurav, Satish and Golden assaulted/opened fire which resulted into his death, learned counsel for the informant submits that the entire criminal act was conspired by the petitioner, he had an issue with deceased and it was on his insistence that resulted into the criminal act, Saurav, Satish and Golden were acting as per his directions.. After the killing, he ensured that the SIM is crushed, this fact cannot be ignored.

5. Taking into account the aforesaid submissions and the facts that have come on record, no relief can be granted to the petitioner, as an innocent life has been taken away and direct allegation is against him beside Saurav, Satish and Golden.

6. The bail application stands rejected.

**(Rajiv Roy, J.)**

Jyoti Kumari/-

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