

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25647 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- BARUN District- Aurangabad

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Shailesh Tiwari @ Shailesh Kumar Tiwari @ Vendor Tiwari @ Vinder
Tiwari@Vinder S/o Arvind Tiwari @ Arvind Tivari R/o Village- Kumhau,
P.S.- Shiv Sagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ashok Singh, Adv.
For the Opposite Party/s :	Mr. Md. Matloob Rab, APP
For the Informant/s :	Mr. Bijay Prakash Singh, Adv.
	Mr. B.S. Chaubey, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barun P.S. Case No. 20 of 2025 dated 13.01.2025 registered for the offences punishable under Sections 103(1), 61(2) read with Section 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, the informant alleged that his father had left for his dispensary, when the informant was informed that he was shot, accordingly, he reached the place of occurrence and found the dead body of his father. It is further alleged that the petitioner and the co-accused persons



were demanding extortion of Rs.1 crore and they have also captured his land, further alleged that the co-accused, Dhananjay Singh provided the location of his father, leading to the occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in this case on mere suspicion and the informant is not an eye-witnesses to the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. There is land dispute between the parties. The petitioner has no concern with the alleged occurrence. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 25.01.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the petitioner in his self-confessional statement has accepted his guilt and also accepted his involvement in the conspiracy in commission of the present occurrence. As per the confessional statement of the co-accused, Anshu Kumar in which he has stated that Sanjay Dubey, who lives in a rented house at Jamuhar and deals in buying and selling of vehicles, due to this Sanjay Dubey was



already acquainted with him about 8 months ago, Sanjay Dubey assigned him the task of killing a man, on which, he along with his gang members Ashish, Pradeep and Rahul met Shailesh Tiwary (petitioner) through Sanjay Dubey and Dablu Tiwari and demanded Rs. 5 lakhs to kill Anil Singh for which they agreed and advance of Rs. 2 lakhs was given which they divided amongst themselves in the amount of Rs. 50,000/- each. Shailesh Tiwari (petitioner) identified Anil Kumar Singh by his photograph and told him the registration number of his motorcycle while going there he would inform about some work to be done through Sanjay Dubey. After which, Anshu Kumar absconded as a case was filed, due to which work was not done. Around two months ago, Anshu Kumar came back and contacted the petitioner through Sanjay Dubey and met him near Bhudwa Mahadev Temple, Tarachandi, the petitioner gave him a black Apache and white FZ motorcycle and a weapon for the work and said that he would give Rs. 51,000/- separately to the person who shoots him on the head. On 13.01.2025 at about 9 AM Sanjay Dubey called from his mobile no. 8863985677 to the mobile no. 9065004242 of Anshu Kumar and informed that Anil Singh was leaving his home for Obra on his motorcycle Registration No. BR24AB-2930 on receiving this information



they reached near the Coal Depot, after that they saw Anil Singh coming then they followed him from behind, Anshu Kumar, Rahul and Ashish reached on an FZ motorcycle and Anshu Kumar took out a pistol and shot him from behind upon which he fell from the motorcycle, again Anshu Kumar took out a pistol and shot him from behind after which he fell from the motorcycle and the jacket of Anil Singh caught fire, the FZ motorcycle is parked near the house of Anshu Kumar and Apache motorcycle was returned to the petitioner's person near Bhudwa Shiv Mandir. Dablu Tiwari gave Rs. 1,95,000/- to Pradeep by calling him to his village Vabhangama, after completion of work.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of offence against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Barun P.S. Case No. 20 of 2025, pending in the Court of learned C.J.M., Aurangabad.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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