

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37961 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- ROSHANGANJ District- Gaya

Mithilesh Kumar @ Mithilesh Singh @ Vidul Ram S/O Surendra Singh @
Surendra Ram R/O Village- Nawada, P.S- Roshanganj, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Advocate

For the State : Mr. Raj Kishor Singh, APP

For the Informant : Mr. Anil Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 04-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Roshanganj P.S. Case No. 107 of 2024 registered for the offence punishable under Sections 103(1) and 3(5) of the B.N.S. and section 27 of the Arms Act, lodged on 18.09.2024 by the informant Mukesh Yadav.

3. As per the prosecution story, the allegation is that the father of the informant had gone to the forest with the domestic animals but he failed to return. Later, it was informed that he has been shot dead by unknown. This led to the F.I.R.

4. In this case, the coordinate Bench had called for the case diary and the informant has appeared suo moto.

5. The confessional statement of Abhay Kumar is there according to which believing that the deceased was a ‘tantrik’ and the reason behind the death of his uncle as also the illness of his family members, he alongwith Mithlesh Singh (petitioner herein) decided to kill the deceased. This petitioner was having a country



made revolver which was used and allegation is that in the presence of both the petitioner and Rahul Paswan, snatching the country made pistol of this petitioner, he opened fire which pierced the ear of the deceased and he died.

6. Learned counsel for the petitioner submits that this is a confessional statement and even otherwise, the allegation of killing in on Abhay Kumar, only allegation is that he was having country made pistol which was used.

7. Learned counsel for the informant who has appeared suo moto on the other hand taken this Court to the two orders of the coordinate Bench to show that Rahul Paswan who was simply accompanying has been granted bail and not anticipatory bail while the bail applications of Abhya Kumar has been rejected.

8. Considering the submissions of the parties as also the facts that have come in the case diary, it would be appropriate that the petitioner seek bail.

9. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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