

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28762 of 2025

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

Dhananjay Singh S/o Late Lalbahadur Singh R/o Village- More Sarai, P.S.-
Shivsagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34084 of 2025

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

Sanjay Dubey @ Sanjay Kumar Dubey S/o Dukhan Dubey R/o Vill-
Bhadokhara, P.S.- Tilouthu, Distt- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 28762 of 2025)

- For the Petitioner/s : Ms. Vaishnavi Singh, Adv.
- For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP
- For the Informant : Mr. Sekhar Singh, Sr. Adv.
Mr. Bijay Prakash Singh, Adv.
Mr. Sumit Kumar, Adv.
Mr. Avinash Kumar Singh, Adv.

(In CRIMINAL MISCELLANEOUS No. 34084 of 2025)

- For the Petitioner/s : Mr. Harsh Vardhan, Adv.
- For the Opposite Party/s : Mr. Ajay Kumar Jha, APP
- For the Informant : Mr. Sekhar Singh, Sr. Adv.
Mr. Bijay Prakash Singh, Adv.
Mr. Sumit Kumar, Adv.
Mr. Avinash Kumar Singh, Adv.



CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-08-2025 **Cr. Misc. No.28762 of 2025**

1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned Senior counsel appearing on behalf of the informant Mr. Shekhar Singh.

2. The petitioner seeks bail in connection with Barun P.S. Case No.20/2025, registered for the offences punishable under Sections 103(1), 3(5) and 61(2) of the B.N.S. & Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two criminal cases and is in custody since 15.01.2025 and the informant alleges that his father had left for his dispensary, when informant was informed that he has been shot, accordingly, he reached the place of occurrence and found the dead body of his father, next alleges that accused persons including the petitioner were demanding extortion of Rs.1 crore and they have also captured his land, next alleges that it was petitioner who provided the location of his father, leading to the occurrence.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the



entire allegation as alleged in the FIR hinges around suspicion and informant is not an eyewitness to the occurrence. It is also submitted that petitioner is residing opposite the house of the informant, as such, based on suspicion, he has been implicated.

5. Learned A.P.P. and the learned Senior counsel appearing on behalf of the informant opposes the prayer for bail of the petitioner and submits that deceased was having dispute relating to land with Arvind, Shailesh, Saurav, Ravindra, Navin and Mayank. It is submitted that on account of land dispute in between the deceased and the aforesaid accused persons, the occurrence has been committed. It is also submitted that accused persons were demanding extortion of Rs.1 crore, for which, the deceased had petitioned the Superintendent of Police and the Director General of Police, Bihar vide his representation dated 25.11.2024 and 28.11.2024 but then no action was taken, thereafter, the petitioner e-mailed the complaint to the D.G.P. and the Divisional Commissioner but still no action was taken. It is next submitted that during the course of investigation, materials have been collected, which connects the petitioner with the offence. It is submitted that when father of the informant left the house, Dhananjay called Shailesh and informed that the victim has left the house, thereafter, Shailesh



talked to one Sanjay Dubey and disclosed that victim has left the house, based on which, Sanjay Dubey got the offence committed. It is also submitted that during the course of investigation, it also transpired that petitioner had a talk with Shailesh on his whats-app number for 23 seconds but then the said call was deleted. The learned APP thus submits that the fact that petitioner deleted the call which he had made/received from Shailesh that in itself demonstrates that petitioner was apprehending that by deleting the call from his mobile, the petitioner will not be connected with the offence.

6. The learned counsel appearing on behalf of the petitioner rebuts the submission of the learned Senior counsel appearing on behalf of the informant and the learned APP and submits that merely because petitioner made a call to Shailesh that in itself does not connect the petitioner with the offence as it is not the case of prosecution that petitioner was following the victim and was disclosing about his location, as the victim was killed about 25-30 km away from his house. On query of the Court that as to whether charges have been framed or not, the learned counsel for the petitioner fairly submits that charges have not been framed.

7. After hearing the learned counsel for the parties, the



Court is not inclined to release the petitioner on bail.

8. The bail application of the petitioner is rejected. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

Cr. Misc. No.34084 of 2025

1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned Senior counsel appearing on behalf of the informant Mr. Shekhar Singh.

2. The petitioner seeks bail in connection with Barun P.S. Case No.20/2025, registered for the offences punishable under Sections 103(1), 3(5) and 61(2) of the B.N.S. & Section 27 of the Arms Act.

3. Learned counsel appearing on behalf of the petitioner submits that petitioner has antecedent of one case but inadvertently at Para-3 of the bail application, it has been pleaded that petitioner is a person with clean antecedent but then it is submitted that petitioner has been acquitted in the case which was instituted against him, hence as of date is a person with clean antecedent and is in custody since 27.01.2025. It is next submitted that informant alleges that his father had left for his dispensary when informant was informed that he has been shot, accordingly, he reached the place of occurrence and found



the dead body of his father, further alleges that named accused persons were demanding extortion of Rs.1 crore and they also captured his land, next alleges that it was Dhananjay, who provided the location of his father leading to the occurrence.

4. The learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the FIR and during the course of investigation, his name transpired, based on confessional statement of Shailesh Tiwary, in police custody, which does not have any evidentiary value. It is also submitted that during the course of investigation, apart from suspicion and confession, no material has been collected to connect the petitioner with the offence.

5. Learned A.P.P. and the learned Senior counsel appearing on behalf of the informant opposes the prayer for bail of the petitioner and submits that the deceased was having dispute relating to land with Arvind, Shailesh, Saurav, Ravindra, Navin and Mayank and during the course of investigation, it transpired that Dhananjay, who resides opposite the house of deceased, acted as a liner. Further, when deceased left his house, the said Dhananjay informed Shailesh and Shailesh thereafter informed the petitioner that victim has left the house and thereafter the occurrence was committed by the persons, whom



the petitioner had hired for the occurrence, namely, Anshu, Pradeep and Ashish. It is submitted that during the course of investigation, it also transpired that it was petitioner, who made Anshu and others meet Shailesh and Shailesh offered the assailants that they would be amply rewarded and if they shoot the deceased in his head, an extra amount of Rs.51,000/- shall be paid. It is thus submitted that it was this petitioner, who got the assailants hired and got them introduced with Shailesh and thereafter the occurrence was committed.

6. The learned counsel appearing on behalf of the petitioner rebuts the said submission of the learned Senior counsel appearing on behalf of the informant and the learned APP and submits that petitioner was having dispute with Shailesh as Shailesh had taken an amount of Rs. 5 lacs from the petitioner, in the name of selling a land but neither the land was sold to the petitioner nor his money was returned, as such, he came to be implicated at the instance of Shailesh.

7. The learned Senior counsel for the informant at this stage submits that what is not in dispute rather stands admitted is that father of the informant was killed and during the course of investigation, it has transpired that the named accused persons in the FIR with the help of this petitioner and other



hired assailants got the occurrence committed.

7. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail.

8. The bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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