

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39877 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- AGAMKUAN District- Patna

Alka Singh D/O Sri Sanjay Kumar R/O Maa Shitla Apartment Flat No. 407,
P.s.- Mehandiganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 42197 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- AGAMKUAN District- Patna

Ramesh Kumar @ Atul Kumar S/o Virendra Prasad R/o- Near Kumhrar
Panchayat Baithka, P.O.- B.H.Colony, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 43090 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- AGAMKUAN District- Patna

Anil Kumar S/o Kashi Rajak R/o Village- Dadhpi Goh, P.S.- Goh, Distt-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 46274 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- AGAMKUAN District- Patna

Masood Alam S/o Late Manzoor Alam Resident of Mohalla-Makhum Gali
Dargah Road, Pathar Ki masjid, PO- Mahendru, P.S.-Sultanganj, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 39877 of 2025)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
: Mrs. Vaishnavi Singh, Advocate
: Mr. Ritwik Thakur, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 42197 of 2025)

For the Petitioner/s : Mr. Chandra Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 43090 of 2025)

For the Petitioner/s : Mr. Chandra Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 46274 of 2025)

For the Petitioner/s : Mr. Gautam Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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

ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Agamkuan P.S. Case No. 248 of 2025 instituted for the offences
under Sections 103, 61(2) of the Bharatiya Nyaya Sanhita, 2023
and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on 22.03.2025,
the son-in-law of the informant informed him that his daughter,
namely, Surbhi Raj, has fallen down. On this information, the
informant reached at Asia Hospital where his daughter was
undergoing treatment. There, the informant was apprised that his
daughter had sustained gunshot injuries inflicted by unknown
assailant. Despite medical intervention, the informant's daughter



succumbed to injuries and was declared dead. Informant has raised suspicion that some staff members of Asia Hospital have committed the murder of her daughter.

4. Learned counsel for the petitioners jointly submitted that the petitioners are innocent and have falsely been implicated in the present case and the allegations levelled against them are baseless, concocted and bereft of any credible evidence. No specific overt act is alleged against the petitioners. Learned counsel further submitted that the entire prosecution case is purely based on suspicion. Learned counsel further submitted that police during investigation found that the husband of the deceased had illicit relationship with Alka Singh, petitioner herein in Cr. Misc. No. 39877 of 2025, and due to the said reason, there was dispute between the deceased and her husband and, thereafter, police arrested the accused persons including the husband of the deceased and these petitioners only on the basis of suspicion and manufactured confessional statement were recorded. It has been submitted on behalf of the petitioners that the petitioners namely, Ramesh Kumar @ Atul Kumar and Anil Kumar are in custody since 23.03.2025 whereas petitioners namely, Masood Alam and Alka Singh are in custody since 25.03.2025. The petitioners have no criminal



antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submitted that from perusal of statements of the witnesses it appears that one Rakesh Raushan @ Chandan Singh, who is the husband of the deceased, is the kingpin and he has confessed his guilt and has stated before the police that he along with these petitioners hatched a conspiracy to commit the murder of his wife. Learned counsel further submitted that it has also cropped up during investigation that there was affair of the deceased's husband with one Alka Singh, petitioner herein, and due to the said reason, he hatched a conspiracy to commit the murder of his own wife with the help of these petitioners. It is also evident from the confessional statement of the husband of the deceased that he gave responsibility to the petitioners to give each and every information to him who was outside the hospital to keep watch after the deceased was shot by unknown assailant. Learned APP for the State, therefore, submitted that there is direct and active participation of the petitioners in hatching a conspiracy and committing the murder of the deceased and, therefore, they do not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances



of the case as also there being ample material in the case diary to show their active participation in the commission of murder of the deceased, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, the prayer for grant of bail to the petitioners is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioners to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of five months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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