

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44474 of 2025

Arising Out of PS. Case No.-62 Year-2023 Thana- PHENHARA District- East Champaran

Vikash Jha @ Bikash Jha @ Kaliya S/o Subodh Jha R/o vill- Bathnaha, P.S.-
Bathnaha, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate
	:	Mr. Ashhar Mustafa, Advocate
	:	Mr. Vikash Kumar Jha, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP

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

ORAL ORDER

4 16-09-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Phenhara P.S. Case No. 62 of 2023 instituted for the offences
under Sections 302, 34 of the Indian Penal Code and Section 27
of the Arms Act.

3. The prosecution case in short is that on 06.05.2023,
while Om Prakash Singh was travelling in his Scorpio vehicle
along with companions, unknown criminals in a Tata Sumo
opened indiscriminate firing near village Injorbara, causing his
death.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. Learned counsel further submitted that one Vishal Kumar Jha was arrested in Purnahiya P.S. Case No. 8 of 2025 in which he is said to have confessed his complicity in committing the murder of the son of the informant along with Kanhai Singh, Abhishek Mishra and Mukul Mishra. Learned counsel further submitted that so far as this petitioner is concerned, it has been simply stated in the confession that the assailants were associated with him. Learned counsel further submitted that except confessional statement of the co-accused, there is no material against the petitioner to show his involvement in the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner has been remanded in this case on 11.03.2025 and has twenty-four criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP submitted that as per the material available in the case diary, the complicity of the petitioner in the alleged occurrence is first shown to have come on the basis of the CCTV footage of the incident in which three assailants were seen which were identified by a witness as a shooter of this petitioner. Learned



APP further submitted that as per paragraph no. 156 of the case diary, the co-accused Vishal Kumar Jha, in his confessional statement has disclosed that he joined the gang run by this petitioner, where he works as a shooter. Learned APP further submitted that police, after investigation submitted charge-sheet under Sections 302, 120B/34 of the IPC and Section 27 of the Arms Act. Learned APP further submitted that the petitioner has twenty-four criminal antecedents and is one of the veteran criminals of the State with several cases of murder registered against him.

6. Considering the aforesaid facts and circumstances of the case, charge-sheet being submitted by the police after investigation coupled with the fact that petitioner has twenty-four criminal antecedents, this Court is not inclined to grant bail to the petitioner.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

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