

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59054 of 2025

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

Vishal Kumar Jha @ Bishal Kumar Jha @ Vishal Jha @ Raja @ Vishal
Kumar S/o Late Nand Kishore Jha R/o Vill- Manikchowk, P.S.- Runnisaidpur,
Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rashmi Jha, Advocate Mr. Vikash Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

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

ORAL ORDER

3 24-11-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

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

3. The prosecution case, in short, is that some
unknown miscreants intercepted the vehicle of informant's son
and made indiscriminate firing upon him due to which he died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of secret information received by the police. The informant is not any eye witness to the alleged occurrence. It is further submitted that the petitioner has confessed his guilt before the police and the same has got no evidentiary value. The petitioner is in custody since 20.02.2025 and has got seven criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is not named in the FIR but during investigation vide paragraph nos. 48, 67, 104 and 128 of the case diary, name of the petitioner has surfaced in this case. In paragraph no. 156 of the case diary, confessional statement of the petitioner is mentioned where he has confessed his own involvement and also stated about the involvement of other co-accused persons in this case. It is further submitted that as per paragraph no. 24 of the case diary, the doctor has found eleven bullets from the dead-body of deceased. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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