

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47637 of 2025

Arising Out of PS. Case No.-751 Year-2024 Thana- DANAPUR District- Patna

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Vikash Jha @ Kaliya, aged about 28 years, Male, Son of Subodh Jha,
Resident of Village - Bathnaha, P.S.- Bathnaha, District – Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Y. B. Giri, Sr. Advocate and Mr. Vikash Kumar
Jha, Advocate
For the Opposite Party : Mr. Rajendra Prasad Nat, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 15-09-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Danapur
P.S. Case No. 751 of 2024 dated 18.08.2024 registered for the
offences punishable under Sections 103, 111(2), 61(2) read with
Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms
Act.

3. As per the prosecution case, on 10.08.2024, the
informant's son Ram Kumar @ Ramji Roy went out of the
house telling that he was going to Patna for the treatment of
teeth of his niece and servicing of his four wheeler vehicle



(Ecosport) on 16.08.2024 he went for servicing of his car and told his neice that after returning he will take her to the doctor but he did not return, than the informant's grand-son Rishabh Kumar dialed on his phone, the same was received by some another person who disclosed that he was a police personnel and the informant's son was shot dead by someone and on this information, the informant's grand-son went to meet him on the location as was sent to him and than he told the informant and his family members that he had come to the Government Hospital, Danapur and someone had shot dead his Mama Ram Kumar @ Ramji Roy.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner has been remanded in the present case on 16.05.2025 and since then he is in jail. It is further submitted by learned senior counsel for the petitioner that the present case has been lodged after two days of the alleged occurrence but the petitioner has not been made accused in the present case. It is further submitted that neither the informant nor any other witnesses in the case diary has claimed to have seen the occurrence and they are all hearsay witnesses. It is further



submitted that during the course of investigation, three miscreants, namely, Kanhai Singh, Mukul Mishra and Karan Jha were identified as perpetrators of the offence on examination of CCTV footage and it has been suggested that these persons are associated with the petitioner and the name of the petitioner was mechanically introduced in the present case. It is further submitted that during investigation, the family members of the deceased have stated that they received a Whatsapp message in which one Raj Jha, who is stated to be the spokesperson of the petitioner's team, took the responsibility of murder. The brother of the deceased has further stated that as the petitioner was in jail custody in Delhi, hence, the co-accused Kanhai Singh, Mukul Mishra and Karan Jha are managing all the affairs of the group in his absence. It is further submitted that the co-accused Vishal Kumar Jha also confessed his guilt in another case on 10.01.2025 and in the said confession also, he is said to have stated that the offence was committed by him alongwith Kanhai Singh, Mukul Mishra and Karan Jha and so far as the petitioner is concerned, he simply stated that the aforesaid persons were associated with him. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that except the confessional statement of the co-



accused, there is nothing on record to suggest the implication of the petitioner in the present case. It is further submitted that when the alleged occurrence took place, the petitioner was continuously in custody since 2019 in connection with New Delhi Special Cell P.S. Case No. 189 of 2019 under the Arms Act. It is further submitted that the deceased himself had a chequered history and he was an accused in 18 criminal cases in which he was on bail. All the cases were of murder, loot and kidnapping etc., and he had come out from the jail a few months prior to the alleged offence. It is further submitted that due to past criminal antecedents of the petitioner, he has been designedly dragged in the present case without any basis whatsoever. It is further submitted that 20 months after the alleged offence on the confessional statement of the co-accused, the petitioner has been made accused in the present case. There is no allegation made against the petitioner. The petitioner has 24 criminal antecedents and out of which, 8 cases are of similar nature registered under Section 302 and other allied Sections of the I.P.C. and in 22 cases, he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 16.05.2025.

5. Learned A.P.P. for the State has vehemently opposed



the prayer for bail petition of the petitioner. Learned A.P.P. for the State has further submitted that some witnesses in the case diary have stated that there was dispute between the deceased and the members of the Kalia Gang with respect to tender of contracts in Sitamarhi District and the leader of the said Gang is Vikash Jha @ Kalia (petitioner) who is in Delhi Jail and his gang members Kanhai Singh, Mukul Mishra @ Abhishek Mishra, Karan Jha and Vishal Kumar Jha are handling his business which is available in paragraph nos. 22, 23 and 41 of the case diary. As per para 41 of the case diary, the petitioner got Ramji Rai murdered by the co-accused persons of Kaliya Gang. As per para 4 of the case diary, the witness has stated that the co-accused persons were making slogan that 'Kaliya Gang Zindabad.' The co-accused Vishal Kumar Jha @ Raja was arrested in the present case and he confessed his involvement in the alleged offence alongwith other co-accused persons. He in his confessional statement has stated that Ramji Roy (deceased) received all the tenders in the district of Sitamarhi and was disobeying the command of Vikash Jha @ Kalia (petitioner), and as such, he was shot dead by him alongwith other co-accused persons.

6. Considering the aforesaid facts and circumstances of



the case and the seriousness of accusation leveled against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Danapur P.S. Case No. 751 of 2024 pending in the court of learned A.C.J.M.,-I, Danapur, Patna.

7. The application stands rejected.

8. The learned trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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