

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56580 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- Shahpur P.S. District- Nawada

Niraj Kumar S/o- Late Kishori Prasad Singh Village- Karnaut PS-
Bakhtiyarpur Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 56817 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- Shahpur P.S. District- Nawada

Shashi Raj S/o Sunil Kumar R/o Village- Mogalchak, PS- Belchhi, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 56580 of 2025)
For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP
(In CRIMINAL MISCELLANEOUS No. 56817 of 2025)
For the Petitioner/s : Mr.Sandeep Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-11-2025 Heard the parties.

2. The petitioners are in judicial custody in connection
with Shahpur P.S. Case No. 14 of 2025 for the offence
punishable under Sections 109, 309(4), 324(4), 3(5) of the
Bhartiya Nayay Sanhita, 2023 and section 27 of the Arms Act
lodged on 27.01.2025 by the informant, Sarwar Ali.



3. As per the prosecution story, the allegation is that informant was given Rs. 19 lakh from his brother, Imran Ali for purchase of cattle. He was moving on a Bolero alongwith others towards the cattle market near Shahpur and as they reached the 'Hat', the bag containing the money was kept in the vehicle and was locked. Later, they heard the sound of firing and came to know that the accused by firing indiscriminating broke the window glass of the vehicle and the bag was taken away. In the process, the driver was also shot at by them. The cattle owner called the Police and took the driver to the Primary Health Centre for treatment. This followed the FIR.

4. In this case, case diary was called for and the same is on record.

5. Learned APP has taken this Court to different paragraphs of the case diary to show that the accused persons were sighted in the different CCTV by the Police and finally it took them Nehru Nagar, Tulshi Path, Ashiana Boys Hostel as also Dolphin Boys Hostel. The motorcycles which were used in the alleged act were present there and upon search from the rooms, number of mobile phones and other indiscriminate items were recovered/seized.

6. The Police demanded CCTV footage from the



owner and upon recovery of the same, it, it was found that the petitioner was the person who ensured that all those boys escaped from the Hostel when the Police arrived there. He was picked up and on disclosure, They were picked up and taken to the Bairyia Bus Stand and on identification, one Shashi Raj was arrested. It is to be noted that Shashi Raj played an important role in the said loot.

7. Learned counsel for the petitioners submit that they have no role to play in the said act.

8. This Court has heard the parties and gone through the case diary. In a daring act, after indiscriminate firing, the bag containing huge amount was looted and in the process, the driver was also injured. When the Police on clue, reached the place, the accused persons were present. However, Niraj Kumar facilitated their escape, Shashi Raj was later apprehended at petitioners behest. In that background, for the present, this Court is not inclined to them the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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