

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52566 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- AGION (GARHANI) District- Bhojpur

Ramesh Singh S/O Late Shayam Ji Singh Resident of village- Laharpa, P.S.-
Agiaon Garhani, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 59861 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- AGION (GARHANI) District- Bhojpur

- 1. Pawan Kumar Singh @ Pawan Singh S/o Jagnarayan Singh @ Asha Singh
R/o Village - Laharpa, P.S - Agiaon (Garahani), District - Bhojpur
- 2. Navneet Singh @ Navnit Singh @ Navnit Kumar S/o Ajit Singh R/o Village
- Laharpa, P.S - Agiaon (Garahani), District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 52566 of 2025)

For the Petitioner/s : Mr. Rajendra Narain, Sr. Adv.
Mr. Md. Mushtaque Alam, Adv.
Mr. Makardhwaj Upadhyay, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

For the Informant : Mr. Khalid Faizan Khursid, Adv.

(In CRIMINAL MISCELLANEOUS No. 59861 of 2025)

For the Petitioner/s : Mr. Rajendra Narain, Sr. Adv.
Mr. Md. Mushtaque Alam, Adv.
Mr. Makardhwaj Upadhyay, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

For the Informant : Mr. Khalid Faizan Khursid, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 15-11-2025 Heard Mr. Rajendra Narain, learned senior counsel

assisted by Mr. Md. Mushtaque Alam, learned counsel for the

petitioners in both the cases as well as learned counsel for the

informant and learned A.P.P for the State.

2. The petitioners seek bail in connection with Agiaon (G)



P.S. Case No. 58 of 2025 dated 21.04.2025 registered for the offence punishable under Sections 190, 191(2), 191(3), 103(1), 109(1), 61(2) of the Bharatiya Nayay Sanhita and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the alleged date of occurrence at about 08:00 PM, the informant's son alongwith his friends Lavkush Kumar, Appu Kumar and Pankaj Kumar had gone to Agiaon Bazar riding on his newly purchased Thar and at about 09:00 PM, when his son reached near Krishna Temple at village Laharpa, accused Dhanesh Kumar Singh, Bablu Singh @ Rohit Kumar Singh, Ramesh Singh, Pawan Kumar Singh, Arvind Singh, Jitendra Singh, Navnit Kumar and Vijay Bahadur Singh @ Bibi Singh alongwith 4-5 assailants armed with rifle and pistols came and made indiscriminate firing, as a result of which, his son Rahul sustained bullet injury at right and left waist, Rahul's friend Lavkush sustained bullet injury at right chick and neck, Appu sustained bullet injury at his abdomen and Pankaj sustained bullet injury at his chest. It is alleged that a *barat* was passing near the place of occurrence and in the said firing one Akshay Kumar Singh, Bittu Kumar @ Amin and Lavkush Kumar who were the members of *barat* also sustained bullet injury. On *halla*, when people gathered the accused fled. It is alleged that victim Lavkush Kumar died at the spot and the injured Rahul died on the way to



hospital and other injured were referred to higher center for better treatment.

4. Learned senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that there is no specific allegation against all the three petitioners, rather, the allegation is general and omnibus. It is submitted that although three persons have died in the said occurrence and four persons were injured but no eye witness supported the specific allegation against the petitioners, rather, all the eye witnesses disclosed the name of the petitioners without disclosing any specific overt act which are general and omnibus. It is vehemently submitted that the occurrence took place on 20.04.2025 at 8:00 PM and the inquest report was prepared on 21.04.2025 at 16:26 Hrs. It is further submitted that there is no explanation for the delay of the institution of the F.I.R., while the police got information on the same day and came at the place of occurrence at 21:10 Hrs. The petitioners are in custody since 22.04.2025. It is submitted that petitioner in Criminal Miscellaneous No. 52566 of 2025 has two criminal cases against him. It is also submitted that in Agiaon P.S. Case No. 59 of 2002, the petitioner is on bail and in Agiaon P.S. Case No. 134 of 2014, the petitioner has been acquitted. It is further submitted that petitioners in Criminal Miscellaneous No. 59861 of 2025 have no



criminal antecedents.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioners.

6. On the other hand, learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioners and submitted that there is specific allegation against all the three accused petitioners. It is submitted that several eye witnesses have supported the case of the prosecution and father of injured Bittu Kumar @ Amin has clearly supported the case of the prosecution. In the said occurrence, three persons have been killed and four persons were injured by the firearm injury. It is further submitted that postmortem report has also supported the case of the prosecution about the firearm injury. Learned counsel further submits that there is so many eye witnesses to the occurrence whose statements have been referred in paragraph nos. 84, 86, 92, 93, 94, 95 and 96. It is submitted that independent eye witnesses' statements have been recorded and in paragraph no. 94 of the case diary the witness has stated that Ramesh Singh came their with country made pistol and instigated other accused persons. It is submitted that witnesses mentioned in the above said paragraphs have specifically said to have seen the occurrence and specific allegations have been levelled against all the three accused persons. Learned counsel for the informant further submits that the



petitioner in Criminal Miscellaneous No. 52566 of 2025 has concealed one criminal antecedent, which has been mentioned in paragraph no. 100 of the case diary, wherefrom it will appear that Agiaon P.S. Case No. 136 of 2014 dated 14.11.2014 has been filed under Sections 147, 148, 225, 353, 506 of the Indian Penal Code, which has not been mentioned in paragraph no. 3 of the bail application.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioners at this stage.

8. Accordingly, the prayer of the petitioners for grant of bail is **rejected**.

9. The learned Trial Court is directed to take all endeavour to conclude the trial within one year from the date of receipt/production of a copy of this order without granting any necessary adjournment.

10. This applications stand dismissed.

(Khatim Reza, J)

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