

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77080 of 2024

Arising Out of PS. Case No.-534 Year-2024 Thana- SAHARSA SADAR District- Saharsa

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Ansuman Kumar @ Suman Kumar @ Anshuman Kumar Son of Arun Yadav
@ Arun Kumar Yadav Resident of Village- Bariyahi Basti Ward No. 6, P.S.-
Bangaon, Distt.- Saharsa. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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with
CRIMINAL MISCELLANEOUS No. 63764 of 2024

Arising Out of PS. Case No.-534 Year-2024 Thana- SAHARSA SADAR District- Saharsa

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1. Sintu Kumar @ Sintu Kumar Singh S/o Late Ganesh Prasad Singh R/o vill -
Rahuamani, P.S. - Bangaon, Distt. - Saharsa
 2. Mintu Kumar @ Mintu Kumar Singh S/o Late Ganesh Prasad Singh R/o vill
- Rahuamani, P.S. - Bangaon, Distt. - Saharsa

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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with
CRIMINAL MISCELLANEOUS No. 69653 of 2024

Arising Out of PS. Case No.-534 Year-2024 Thana- SAHARSA SADAR District- Saharsa

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Amar Ranjan Son of Shri Balmukund Gupta @ Balmukund Prasad Gupta
Resident of Bareahi Bazar, P.S.- Bangaon, District - Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 77080 of 2024)

For the Petitioner : Mr.Amarnath Jha, Advocate
For the State : Mr.Navin Kumar Pandey, APP
For the Informant : Ms.Rashmi Jha, Advocate

(In CRIMINAL MISCELLANEOUS No. 63764 of 2024)

For the Petitioner/s : Mr.Amarnath Jha, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 69653 of 2024)

For the Petitioner/s : Mr.Krishna Pd. Singh, Sr. Advocate
Mr.Bhaskar Shankar, Advocate
For the State : Mrs.Rina Sinha, APP
For the Informant : Ms.Rashmi Jha, Advocate



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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

15 20-08-2025 Heard Mr. Krishna Prasad Singh, learned senior

counsel appearing on behalf of the petitioners and Ms. Rashmi
Jha, learned counsel appearing on behalf of the informant.

2. The accused/petitioners seeks bail in connection
with Saharsa Sadar P.S. Case No. 534 of 2024 registered for
the offences under Sections 302, 506, 120(B) of the Indian
Penal Code and 25(1-b)a, 26, 35 of the Arms Act.

3. The accused/petitioners are not named in the First
Information Report and are in custody since 03.06.2024.

4. Allegation against the petitioners is to commit
murder of the husband of the informant.

5. Mr. Krishna Prasad Singh, learned senior counsel,
while appearing on behalf of the petitioners submitted that
informant is not the legally wedded wife of the deceased
brother of the accused namely, Amar Ranjan (petitioner in Cr.
Misc. No. 69653 of 2024).

6. It is pointed out by Mr. Singh, that entire
implication is based upon the CCTV footage, whatsapp chat
etc. like secondary evidence without supporting any certificate



as mandatory under section 65B of the Indian Evidence Act.

7. It is also submitted by Mr. Singh that the person, who alleged to picked the phone, dialed by the informant which was with the deceased, was not examined by the investigating authority to establish the essential link of petitioners with crime in question and, therefore, except suspicion nothing survives against the petitioners.

8. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and, as such, there is no chance of tampering with evidence and, therefore, keeping the petitioners behind the bar shall not serve any purpose of justice.

9. Learned A.P.P. for the State is present.

10. Ms. Rashmi Jha, learned counsel, while opposing the prayer of bail of the petitioners, submitted that criminal law can bring into motion by any person and whether the deceased was legally wedded with the informant is not the issue in question. It is pointed out that the call dialed by the informant was picked by a passerby who said that her



husband was shot dead by unknown. It is pointed out that on the basis of CCTV footage, a suspicion was raised against the petitioners, whereafter upon investigation, it was found that the brother of petitioners namely, Amar Ranjan (petitioner in 69653/2024) send photographs and details of his brother to other accused/petitioners, who actually killed his brother due to land dispute. It is submitted that other petitioners are hired killer.

11. It is also pointed out by Mrs. Jha that the screenshot of mobile as mentioned in para 63, 64 & 56 of the case diary categorically suggests on its face *qua* involvement of petitioners in the present crime in question.

12. It is further submitted by Mrs. Jha that on the instance/confession of petitioners namely, Ansuman Kumar @ Suman Kumar (petitioner in Cr. Misc. No. 77080/2024) and Sintu Kumar @ Sintu Kumar Singh (petitioner in Cr. Misc. No. 63764/2024), the arms which used in killing of the deceased was recovered along with four live cartridges, which was seized in accordance with law, as transpired from para 54 of the case diary.



13. It is further pointed out by Mrs. Jha that having such incriminating evidence *prima facie* involvement of petitioners cannot be ruled out and, therefore, the petitioners are not deserving to be released on bail as they may hamper the trial. It is also submitted that petitioner namely, Ansuman Kumar @ Suman Kumar (Cr. Misc. No. 77080/2024) is involved in one more criminal case; petitioner namely, Amar Ranjan (Cr. Misc. No. 69653/2024) is involved in four criminal cases of heinous nature.

14. Considering the aforesaid factual submission and by taking note of the fact as *prima facie* petitioners appear actively involved in commission of crime which took place in the background of land dispute, where petitioners Amar Ranjan (petitioner in Cr. Misc. No. 69653/2024) is own full brother of the petitioners appears *prima facie* involved in alleged occurrence with other accused persons as it is apparent from whatsapp chat and photographs exchanged between them *qua* deceased soon before the occurrence, coupled with the fact that on the instance of two petitioners as mentioned aforesaid, the weapons of crime i.e. pistol along



with live cartridges were recovered.

15. Accordingly, prayer of bail of the petitioners stands rejected herewith.

16. However, learned trial court is directed to expedite the trial and conclude the same preferably within a period of six (6) months from the date of receipt/production of a copy of this order by taking this matter on day-to-day basis.

17. If the trial is not concluded within the stipulated period of six (6) months, petitioners are at liberty to renew their prayer for bail before this Court, if so advised.

(Chandra Shekhar Jha, J)

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