

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18856 of 2026

Arising Out of PS. Case No.-250 Year-2025 Thana- PATLIPUTRA District- Patna

Ishu Kumar @ Rishu Kumar S/o- Late Umesh Rai @ Sukhal Rai Village-
Mainpura, Gate No-43, Near Sati Asthan, PS-Patiputra Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-05-2026 Heard the parties.

2. The petitioner is in custody in connection with Patliputra P.S. Case No. 250 of 2025 arising out of S.Tr. No. 2410 of 2025 for the offence punishable under sections 103(1), 109, 3(5) of the BNS.

3. As per the prosecution story, the informant alleged that while he was doing purchase near a *gumti*, two persons riding motorcycles came and he could identify them as Amit Kumar. The allegation is that he flashed his pistol and opened fire on Raja Kumar and when Jitendra Kumar came to rescue, he was also shot upon. Thereafter, the accused escaped. The injured persons were rushed to PMCH where Raja died while Jitendra was under treatment. This led to the FIR.

4. Learned counsel for the petitioner submits that



main allegation of killing is on Amit Kumar and this petitioner was present there but role not attributed. Further, he has not criminal antecedent.

5. Learned counsel for the State as also the informant has made two-fold submissions:

(i) it was the petitioner who caught hold of Raja whereafter, Amit opened fire;

(ii) against the no criminal antecedent theory, paragraph 56 of the case diary shows that he is an accused in connection with Bihta P.S. Case No. 450/ 2025.

6. Taking into account the submissions of the parties as also the role that the petitioner has played, no relief can be granted.

7. The bail application stands rejected.

8. Since the bail application of the petitioner has been rejected, this Court expects the Trial Court to expedite the trial so that it is concluded at an earliest.

(Rajiv Roy, J)

Vijay Singh/-

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