

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30518 of 2026**

Arising Out of PS. Case No.-308 Year-2025 Thana- NAUGACHIA District- Bhagalpur

Keshav Jha S/o Lalit Jha Resident of Village- Ghat Thakurbari Naugachia,
P.S.- Naugachia, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ritwaj Raman

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 05-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 25.11.2025 in connection with Naugachia P.S. Case No. 308 of 2025 for the offences punishable under Sections 109(1), 3(5) of BNS and Sections 25(1-b)a, 26, 27 and 35 of Arms Act.

3. The case of the prosecution, in brief, is that in the night of 24.09.2025 at around 10:15 pm, when the informant's brother Mohammad Shahrukh Ansari was in his house, he received a call on his mobile phone and after informing that he would be back in 10 minutes, he left the house. It has further been alleged that at around 10:35 pm, there was an uproar that the informant's brother Mohammad Shahrukh Ansari had been shot, on receiving the information about the incident, the



informant along with his family members reached near the house of Professor Shyan Jama, where the informant's brother Shahrukh was lying drenched in blood. It has further been alleged that when these people questioned their injured brother Mohammad Shahrukh Ansari about the incident, Shahrukh told that on the advice of Keshav Jha (Petitioner), who lives near Dharamshala, he left the house and reached Dr. Ittifaq's clinic in Mumtaz Mohalla and saw that Dhanik Chandra, a resident of Makhatakiya, was present with Keshav Jha (Petitioner). Then, while the brother of the Informant was talking among themselves, near Ritesh grocery shop located near Shankar's house in Mumtaz Mohalla, Dhanik Chandra suddenly started abusing the brother of the Informant and Keshav Jha (Petitioner) caught hold of his collar and started pulling him. When the brother of the Informant protested, Keshav Jha (Petitioner) took out a weapon from his waist and shot him, keeping it close to his chest. When the brother of the Informant asked why he did this, then Dhanik Chandra fired another shot on his shoulder and Keshav Jha (Petitioner) again tried to shoot, then the brother of the Petitioner ran towards his house. It has further been alleged that the reason for the dispute is that the brother of the Informant used to talk to Dhanik Chandra's sister-



in-law Jyoti Kumari. Meanwhile, a few days ago, Jyoti Kumari's brother tried to commit suicide over some issue and brother of the Informant helped Jyoti's brother in his treatment, which Jyoti Kumari's brother-in-law Dhanik Chandra did not like. Due to this, a few days ago, the brother of the Informant had a dispute with Dhanik Chandra and Dhanik Chandra along with his criminal friend Keshav Jha (Petitioner) called him and shot. It has further been alleged that Keshav Jha and Dhanik Chandra were drunk at the time of the incident. The informant's brother Mohammad Shahrukh told all these things to the Informant and the family members in his injured condition. Then they took the injured brother to the sub-divisional hospital Navgachhiya from where he was referred to Bhagalpur for better treatment.

4. Learned counsel for the petitioner submits that it appears from the FIR that due to some money transactions, the present occurrence has taken place although petitioner is named in the FIR and there is specific allegation that he has fired upon the victim/injured person upon his chest but the medical report does not support the allegation as alleged in the FIR. Apart from that the statement of the injured person has been recorded which is mentioned in paragraph no. 52 of the case diary in which he has stated that the petitioner has fired upon the him which hit on



the shoulder of the injured person and he has stated that the co-accused person, namely, Dhanik Chandra has fired upon his stomach and he has been granted bail vide order dated 20.11.2025 by the learned court below itself (Annexure-2) and police after investigation has submitted charge-sheet and the petitioner is in custody since 25.11.2025.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of three cases other than the present case but fairly submits that the petitioner is on bail in two cases and in one case the petitioner has been acquitted by the learned trial court.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Naugachia in connection with Naugachia P.S. Case No. 308 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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