

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35849 of 2026

Arising Out of PS. Case No.-142 Year-2024 Thana- BEN P.S. District- Nalanda

=====

Ashish Raj @ Sudhir Gope S/O Arvind Gope Resident of Village-Chhoti Ant,
P.S-Ben, Dist-Nalanda, PIN- 803114.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Brajesh Prasad Gupta, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This is the 2nd attempt of the petitioner seeking bail
in connection with Ben P.S. Case No. 142 of 2024 registered for
the offence under Sections 103(1), 61(2) & 3(5) of B.N.S. read
with Sections 27, 25(1-b)a, 26 & 35 of the Arms Act.

3. Earlier, the bail application of the petitioner was
rejected on 06.08.2025 in Cr. Misc. No. 26373 of 2025 which
reads as follows:-

*“Heard learned counsel for
the petitioner, learned counsel for
the informant and learned APP for
the State.*

*2. The petitioner seeks bail
in connection with Ben P.S. Case
No. 142 of 2024 registered for the
offence under Sections 103(1),*



61(2), 3(5) of the BNS and under Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner is accused in the murder of the deceased. The deceased was shot by one Munna and after the killing, the petitioner came on Motorcycle and took away the accused Munna.

4. During investigation, it has come that it is the petitioner who had planned the murder and he had hired Munna and gave him the murder weapon and cartridge.

5. The petitioner is in jail since 29.11.2024.

6. Learned senior counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence.

7. Learned counsel for the State and learned counsel for the informant has opposed the application of the petitioner and has submitted that it is the petitioner who has planned the murder which has also come in the self-inculpatory statement of co-accused Munna.

8. Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, this application is dismissed.”

4. Learned counsel for the petitioner submits that in the trial, four out of seven witnesses have been examined, therefore, the petitioner may be granted bail.

5. Considering the gravity of the offence and the



judgment of the Hon’ble Supreme Court in the case of *X vs. State of Rajasthan & Anr., 2024 SCC OnLine SC 3539*, I am not inclined to review my earlier order.

6. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

sadique/-

U		T	
---	--	---	--

