

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47694 of 2026

Arising Out of PS. Case No.-498 Year-2025 Thana- RAMKRISHNANAGAR District- Patna

Prakash Kumar S/o Sh. Babu Ram Chauhan @ Babu Ram R/o - New Colony,
Ramkrishna Nagar, Sampatchak, P.S - Ramkrishna Nagar, District - Patna, Pin
- 800027

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Kumar Singh, Adv.

Ms. Preeti Pundir, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-07-2026 Heard Mr. Vishal Kumar Singh, learned counsel for the
petitioner and Mr. Jitendra Kumar Singh representing the State.

2. The petitioner apprehends his arrest in connection
with Ramkrishna Nagar P.S. Case No. 498 of 2025 for the offence
registered under sections 111(3) and 111(4) of the BNS r/w 25(1-
B)(a), 26 and 35 of the Arms Act.

3. The informant is the Police Official of
Ramkrishnanagar Police Station, Patna and as per the FIR, on the
information given by the STF team regarding presence of one
Ujjwal Kant of Chapra who is also wanted in Ramkrishnanagar
P.S. Case No. 597 of 2024 and Ramkrishnanagar P.S. Case No.
599 of 2024, the Police constituted a team and were present near
the Sorangpur Temple at around 01:15 AM when they saw three



persons coming towards them and on the sight of Police, they tried to escape. They were apprehended and gave the names as Ujjwal Kant (Chapra), Saurabh Kumar (Patna) and Priyoday Kumar (Nalanda).

4. Upon search, from the person of Ujjwal Kant, the country made revolver along with cartridges were found besides the mobile phones. Similarly, from the person of Saurabh Kumar and Priyoday Kumar, again, there were recovery of country made revolver and cartridges besides the mobile phones. This petitioner having Mobile No. 9122XX2326, gave them the contract for killing of the driver of Swift Dzire bearing Registration No. BR-01-HEXX11. Thereafter, on 16.06.2025, he along with Saurabh came from Delhi to Patna and went to Vaishali. On 17.06.2025, this petitioner met him and gave new SIMS along with the phone number of the person who was to be killed. Subsequently, the aforesaid car was booked and from Rajendra Nagar, Patna, they booked the car of the said Driver and took him to Doriganj, Chapra. However, as they could not get a proper place to execute the work, they failed to kill him.

5. The prosecution story further records that Ujjwal Kant asked the driver to remain free as within the next two days, they will be visiting Rajgir and will pay the entire amount there. The accused persons decided to kill him on way to Rajgir. They



returned to Ramkrishnanagar and as they were moving and wanted to stay at one of his relative, got arrested. This led to the FIR.

6. Learned counsel for the petitioner submits that the main accused, Ujjwal Kant was given a loan of Rs. 1,50,000/- one year ago and on demand, he failed to return the amount and now has been dragged him in this present case. Further, the driver of the vehicle, Abhimanyu Kumar was called upon by the Police and according to him, his father Raju Singh and step-mother, Pinki Devi wanted to kill him due to property dispute. Abhimanyu had no knowledge about the petitioner or his motive.

7. Mr. Jitendra Kumar Singh, learned State Counsel on the other hand submits that it is a larger conspiracy. The driver has come out with a statement that his father and step-mother wanted to kill him due to property dispute. Ujjwal Kant records that this petitioner asked and paid him to kill the driver of the said vehicle. This connection can be linked only after the petitioner is interrogated as to whether he has been implicated and/or he was the person whom the victim/driver's father and step-mother wanted to eliminate and this petitioner was given the task for it who in turn asked the accused persons to execute the work.

8. Having recorded the facts, this Court has taken note of the submissions put forward by the parties and certainly, is in conformity with the submissions put forward by the learned State



Counsel. The Police has failed to look into the larger conspiracy and seriously investigate the statement made by the victim Driver that his parents want his elimination for property. The Police has failed to realize that an innocent's life is in danger.

9. In that background, this Court directs the Senior Superintendent of Police, Patna to constitute a team headed by the Dy.S.P. who shall take the phone numbers of both the parents of the Driver and look into the larger conspiracy.

10. So far as the case of the petitioner is concerned, his custodial interrogation is necessary. In that background, no relief can be extended to him.

11. The anticipatory bail application stands rejected.

12. Let a copy of the order be sent to the S.S.P., Patna for his/her perusal/needful.

(Rajiv Roy, J)

Vijay Singh/-

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