

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50766 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- RAJIVNAGAR District- Patna

Akhilesh Kumar S/O Naval Sah @ Naval Prasad Sah Village- Manaspur, P.S.-
Vaishali, Dist.- Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Advocate
For the State	:	Mr. Suman Kumari Singh, APP
For the Informant	:	Mr. Shyam Kishore, Advocate
		Mr. Aditya Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 12-01-2026 Heard learned counsel for the petitioner as well as
informant and learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Rajeev Nagar P.S. Case No. 167 of 2025, registered for the offences punishable under Sections 103(1), 3(5) of the BNS and 25(1-b)a, 26, 27, 35 of the Arms Act.

3. As per the prosecution case, on 10.03.2025, the informant's husband, Sudish Kumar was shot by two unidentified motorcyclists near his residence. He was taken to the hospital but he died during treatment on 11.03.2025.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He has further submitted that petitioner is not named in the FIR and his name transpires only on the basis of suspicion. Except his confessional statement, there is nothing against him in the



case diary. No incriminating article has been recovered from his possession. The petitioner is not the assailant, rather, co-accused Mukesh Kumar shot dead the deceased. It has further been submitted that the petitioner is a person of clean antecedent and is in custody since 19.03.2025.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail by submitting that the petitioner has been seen in CCTV footage following the deceased and shaking hands with the shooter. It has further been submitted the impugned order shows that co-accused Vishal Kumar has stated in paragraph no. 67 of the case diary that Sudish Kumar (the deceased) had given money to the petitioner and he demanded his money back from the petitioner several times, due to which, the murder was committed at the instance of the petitioner.

6. The petitioner confessed his guilt and he was seen in CCTV footage following the deceased.

7. Considering the above-mentioned facts and circumstances, the petitioner does not deserve privilege of bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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