

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75483 of 2025

Arising Out of PS. Case No.-446 Year-2025 Thana- GARDANIBAG District- Patna

Sudhanshu Shekhar S/O Badri Narayan Choudhary Resident of Buddha Colony, Dashrath More, P.S- Hundi, District- Madhubani at present residing at Service Centre Gali, P.S.- Gardanibagh, District- Patna. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate
		Mr. Arun Kumar, Advocate
For the State	:	Mr. Rajiv Nayan, APP
For the Informant	:	Mr. Chandra Shekhar Prasad, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 12-02-2026 Heard Mr. Ajay Kumar Thakur, learned counsel, assisted by Mr. Arun Kumar, for the petitioner, Mr. Rajiv Nayan, learned APP for the State and Mr. Chandra Shekhar Prasad, learned counsel for the informant.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 103(1)/61(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act but, subsequently, Section 25 (1-B)a, 26 and 35 of the Arms Act has been added.

3. The allegation in the F.I.R. is that the younger brother of the informant was shot dead, who was working as Blinkit delivery guy.

4. It is submitted by learned counsel for the petitioner, at the outset, that the first information report is based only on suspicion as the deceased was working with the Blinkit and the petitioner happened to be the Manager of the Blinkit



Store and other co-accused, Akash Kumar was also working in the Blinkit along with the deceased. It is further submitted that even during the course of investigation the CCTV footage of different places and times have been looked into but no substantive or cogent material has been collected, which would indicate that the petitioner was in any way directly involved in the offence. At best, looking into the confessional statement of the co-accused, Akash Kumar, which has been recorded in para-215 of the case diary where he has said to have admitted his guilt. It would further transpire that after having committed the offence he has disclosed the same to the petitioner, who, in his bid to help him, had asked him to conceal the firearm and even asked him to flee away. It is, thus, submitted that looking into the entire material collected during the course of investigation, the only fact which appears to be against the petitioner is that after the commission of the offence he was indulged in concealing the firearm and suggesting the co-accused, Akash Kumar to flee away, as such there is no involvement of the petitioner in killing of the deceased in any manner. The petitioner has no criminal antecedent and has been languishing in custody since 18.08.2025.

5. Learned APP for the State as well as learned counsel for the informant opposed the bail petition submitting that there is material to show the complicity of the petitioner



also.

6. Taking into consideration the above-mentioned facts and circumstances of the case and also considering the fact that after going through the entire materials available on record, it appears that the present case is based on suspicion with no eye-witness to the incident and so far as the petitioner is concerned, at best, there is an allegation of helping the main accused, Akash Kumar in concealing the firearm after the occurrence took place, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Gardanibagh P.S. Case No.446 of 2025, subject to the condition that the petitioner shall remain physically present in court on each and every date till framing of the charge and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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