

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2196 of 2026

Arising Out of PS. Case No.-493 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Love Kumar @ Juge S/o- Bilash Sharma @ Vilash Sharma Resident of
Village- Bariyarpur, PS- Bakhtiarpur Balwahat District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 103(1) and 3(5) of the BNS
as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 17.09.2025 and the informant alleges that on 28.10.2024
Kabindra informed that Dularchand (husband of the informant)
has been shot at Bhaura Chauk, accordingly, the informant
reached the place of occurrence where she was informed that
Dularchand has been taken to a hospital on which she reached
the hospital and saw the dead body of her husband. It is further
alleged that her husband was killed by seven named accused



persons along with 4-5 unknown accused. It is next alleged that accused persons had earlier threatened her husband that he will be killed. It is also alleged that her husband disclosed the name of one Santosh.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that earlier Dularchand was implicated in a case relating to murder of father of Santosh, as such, the informant implicated Santosh in the instant case and when Santosh was arrested based on his confession the name of the petitioner transpired as Santoch disclosed that he along with Ashish and petitioner did raiki of the deceased before committing the occurrence. It is, thus, submitted that name of the petitioner transpired based on the confessional statement of Santosh in police custody which does not have any evidentiary value in the eye of law.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that no doubt, the name of the petitioner transpired in the confessional statement of Santosh in police custody which does not have any evidentiary value in the eye of law but then the informant, who is wife of the deceased, alleges that deceased while dying



disclosed the name of Santosh based on which Santosh was arrested. It is further submitted that it does not appear probable that informant, being the wife of the deceased, would have implicated Santosh in the case had her husband not disclosed. It is next submitted that thereafter Santosh was arrested and the petitioner based on his confessional statement came to be implicated on which learned counsel appearing on behalf of the petitioner submits that though the order impugned records that Santosh along with petitioner and Ashish did raiki of the deceased before committing the occurrence but then has not disclosed that it was only petitioner who shot him.

6. After hearing the learned counsel for the parties, the Court is in agreement with the submissions made by the learned A.P.P., as such, is not inclined to release the petitioner on bail in connection with Bakhtiyarpur P.S. Case No. 493 of 2024 pending in the Court of learned Chief Judicial Magistrate, Saharsa/Successor Court.

7. Hence, the prayer for bail is rejected.

(Satyavrat Verma, J)

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