

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14308 of 2026

Arising Out of PS. Case No.-116 Year-2023 Thana- SHASTRINAGAR District- Patna

Abhijeet Raj @ Abhijeet Kumar Son of Late Ajay Kumar Singh R/o Vill. -
Surya Mandir Road, Srirampur, Sirirampur, Bihta, P.S. - Bihta, Dist. - Patna.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajesh Kumar Singh, Sr. Advocate Mr. Mukul Kumar, Advocate Mr. Lal Babu Singh, Advocate Mr. Ashish Kumar, Advocate
For the Opposite Party/s :	Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2026 1. Heard learned Senior Counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code, 1860 as well as Section 27 of the Arms Act, 1959.

3. Learned Senior Counsel for the petitioner submits that petitioner is a person with clean antecedent and is a young boy aged about 23 years and the informant alleges that petitioner along with five named accused persons and some unknown accused shot his grandson near the Chowmin Shop leading to his death.

4. Learned Senior Counsel for the petitioner submits



that from perusal of the allegation as alleged in the FIR, it would manifest that informant is grandfather of the deceased and he alleges that his grandson was shot dead by the accused persons but then is not an eyewitness to the occurrence as from the FIR itself it manifests that the public disclosed the name of the assailants who committed the occurrence of murder. It is further submitted that no doubt, Abhijeet Kumar, resident of Shivpuri, is an accused in the FIR by name but then the parentage of Abhijeet Kumar is not disclosed in the FIR. It is next submitted that the name of the petitioner is Abhijeet Raj @ Abhijeet Kumar and not Abhijeet Kumar and he is son of Late Ajay Kumar Singh and is resident of Surya Mandir Road Srirampur, Sirirampur, Bihta, Police Station Bihta, District Patna. It is next submitted that petitioner was not even aware that an FIR has been instituted in which the police without investigating the case in its correct perspective is looking for the petitioner. It is also submitted that during the course of investigation Aman, Shivji and Avinash were arrested and from perusal of their statements recorded under Section 161 Cr.P.C., it would manifest that they have named one Abhijeet Kumar but then have not disclosed the parentage and have stated that he is resident of Shivpuri. It is asserted and submitted that even the



apprehended accused have not disclosed that Abhijeet Kumar who was involved in the occurrence is a resident of Bihta. It is next submitted and asserted that during the course of investigation, no material transpired even to remotely connect the petitioner with the offence on the ground that he is a resident of Shivpuri in the district of Patna. It is also submitted that during the course of investigation, it has come that bystanders from the CCTV footage had identified the assailants of the deceased and the petitioner was also identified. It is further submitted that if what has come during the course of investigation that petitioner was identified based on CCTV footage by bystanders in that event definitely the case is not for anticipatory bail but then it is submitted that Shivji was arrested and was convicted by the learned trial court by judgment dated 04.09.2025 in S.Tr. No. 1012 of 2023. It is next submitted that in the trial, the Investigating Officer was cross-examined and stated that he had seen the CCTV footage but the CCTV Camera was of low quality in which three bikes were visible, people were coming but faces were not clearly visible which amply demonstrates that the petitioner was not identified based on the CCTV footage. It is also submitted that the informant of the case was also cross-examined in the trial of Shivji and disclosed that he



had identified the assailant of his grandson but was not knowing his name but in the trial he identified Shivji as the assailant and also stated that he had not seen any other accused persons. It is further submitted that petitioner is a student and presently is pursuing his B.Tech. (Computer Science) from Sharda University, Greater Noida as would manifest from Annexure-P/4 to the anticipatory bail application. It is next submitted that in support of the fact that petitioner is a student his marks of +2 has also been annexed as Annexure-P/3 to the anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the evidence which came in the trial of Shivji cannot be looked into in the trial which shall be conducted against the petitioner on which learned Senior Counsel appearing on behalf of the petitioner submits that the said submission of the learned A.P.P. cannot be disputed but then Anand Kumar Singh @ Anand had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 22117 of 2023 and the same came to be allowed by an order dated 11.07.2023. It is fairly submitted that the only difference in the case of petitioner and Anand Kumar Singh @ Anand is that the apprehended accused in their statements



recorded under Section 161 Cr.P.C. had not disclosed the name of Anand Kumar Singh @ Anand but the same is true also for the petitioner as the apprehended accused had disclosed the name of Abhijeet Kumar and not Abhijeet Raj @ Abhijeet Kumar nor anything during the course of investigation transpired connecting the petitioner that he is a resident of Shivpuri. It is next submitted that though what transpired in the trial of Shivji will not come by way of aid to the petitioner if the trial against him also commences but then for the purposes of anticipatory bail and considering the fact that petitioner is a student and the manner in which he has been implicated should also be taken into consideration. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned Senior Counsel for the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Shastri Nagar P.S.



Case No. 116 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. One of the bailors of the petitioner shall be his uncle (Mama), namely, Sunny Kumar.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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