



COURT OF DISTRICT & SESSIONS JUDGE, Bhojpur, Ara
Bail Petition No. 2392/2026
(arising out of Shahpur P.S. F.I.R. Case No. 65 of 2026)

Avinash Pandey @ Avinash Kumar Pandey

Petitioner

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
18.07.2026	1. This bail petition has been filed on behalf of petitioner namely; Avinash Pandey @ Avinash Kumar Pandey, who is in custody since 17.03.2026 in connection with Shahpur P.S. case no. 65/2026, under Section 103(1), 3(5) of B.N.S. & 27 Arms Act. put up for hearing. 2. Heard Sri Rajdeo Tiwary, learned counsel for petitioner, Sri Rana Pratap Singh, learned P.P. for the state. 3. On the basis of written complaint of maternal grand father of deceased Sumit Kumar this F.I.R. was lodged. As per written complaint of Viraj Kumar using his mobile no. 9060269565 call on the mobile no. 9288340292 of Sumit Kumar and Sumit Kumar before leaving his place of abode apprised informant Ramakant Pandey that Viraj Kumar called Sumit Kumar and he is going to meet Avinash Pandey, Harish Pandey @ Rajdhan Pandey both resident of	



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Contd. 18.07.2026	Banahi Village and on next morning day body of deceased was found near pond adjacent to Bankat road bridge near Banahi Village, in the course of investigation Viraj Kumar was arrested. Viraj Kumar disclosed the name of other co-accused persons namely; 1. Avinash Pandey and 2. Harish Pandey @ Rajdhan Pandey as an accomplice. 4. Learned counsel for the petitioners submitted that no bail application of any nature has been filed or is pending on behalf of the petitioner either before this court or before the Hon'ble High Court. Ld. Counsel for petitioners further submitted that petitioners have been arrayed as an accused only on the basis of confessional statement of co-accused Viraj Kumar. Petitioner is a man of clean antecedent and has been falsely implicated in this case. Petitioner is in judicial custody since 17.03.2026 and petitioner undertakes to comply any condition imposed by this Court, hence, bail petition of petitioner may be allowed. 5. On the contrary learned P.P. vehemently opposed the bail petition of petitioner and submitted that in pre-planned manner	
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Contd. 18.07.2026	petitioners killed deceased, petitioners last location as well as deceased is same i.e Banahi village and accused persons were in regular touch with deceased Sumit Kumar, hence at this stage, bail petition of petitioners is devoid of merit and same should be dismissed. 6. I have heard the rival submissions of both parties and perused the case record. Since, in this case there is no eye-witness, hence, details of mobile used by deceased Sumit Kumar as well as accused persons namely; Avinash Pandey, Harish Pandey @ Rajdhan Pandey and Viraj Kumar is very important. Table containing details of mobile nos. of accused persons as well as deceased are as follows;- <table><tr><th>Name</th><th>Mobile No.</th></tr><tr><td>1. Viraj Kumar (accused)</td><td>9060269565</td></tr><tr><td>2. Avinash Pandey (accused)</td><td>8294555157</td></tr><tr><td>3. HarishPandey @ Rajdhan Pandey (accused)</td><td>6200164196</td></tr><tr><td>4. Sumit Kumar (deceased)</td><td>9288340292</td></tr></table> It appears from the perusal of of the case diary that mobile no. 9060269565 used by accused Viraj Kumar, mob. no. 8294555157 used by	Name	Mobile No.	1. Viraj Kumar (accused)	9060269565	2. Avinash Pandey (accused)	8294555157	3. HarishPandey @ Rajdhan Pandey (accused)	6200164196	4. Sumit Kumar (deceased)	9288340292
Name	Mobile No.										
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Contd. 18.07.2026	accused Avinash Pandey and mob. no. 6200164196 Harish Pandey @ Rajdhan Pandey as well as mob. no. 9288340292 used by deceased Sumit Kumar, accused Viraj Kumar was in regular touch with deceased and on the day of occurrence at 11:00 P.M. , it is Sumit Kumar received mobile call from Viraj Kumar on his mobile number description of the same has been given in the table hereinabove. It corroborates the case of the prosecution that prosecution version was given by informant is prima facie appears to be true. It also appears from perusal of para-46, 47, 48 and 50 of the case diary that all accused persons were in contact with one another through mobile and they were staying near place of occurrence at Banahi Village, since, deceased was called by accused persons at 11:00 P.M. and dead body of deceased was found on 16.03.2026 at 6:00 A.M., last location of deceased as well as accused is Bankat road bridge near Banahi village and accused persons were in regular touch with deceased Sumit Kumar, on the basis of CDR on record, hence, a prima facie case under Section 103 read with Section 3 and 5 of B.N.S. and 27 of Arms Act is made out. It is a case in which in pre-planned manner accused Viraj Kumar called Sumit Kumar using mobile	
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Contd. 18.07.2026	no. 9060269565 to deceased at 11:00 P.M. on mob. no. 9288340292 and as per CDR all accused persons were in the same vicinity and their name was also disclosed by informant and after six hours his dead body was found, hence, a prima facie case under Section 103 is made out. This case is still at initial stage. Considering the fact that in pre-planned manner 18 years old boy has been eliminated due to alleged illicit relationship between Avinash Kumar and Baby Devi, hence at this stage, bail petition of petitioner namely; Avinash Pandey @ Avinash Kumar Pandey is devoid of merit and same is dismissed. (Dictated & corrected by me) Sd/- (Purushottam Mishra) Sessions Judge. 18.07.2026	