

**In the Court of Sessions Judge, Supaul**  
**B.A.-152/2026**  
**(Arising out of Triveniganj P.S. Case No.567/2025)**

	<b><u>BA-152/2026</u></b> Rupesh Kumar, S/o- Shyam Kishor Yadav, R/o- Bhan Tekthi, Ward No.06, PS+ District- Madhepura; .....Accused/Petitioner Vs. State of Bihar .....O.P.	
<b><u>25/03/26</u></b>	<p>Ld. Counsel for petitioner Sri. Sanjay Kumar Singh, Advocate. Ld. PP Sri. J.N.Pandey, for the State.</p> <p>By this order we are going to dispose off the bail application filed on behalf of accused/ petitioner, namely Rupesh Kumar, who is in judicial custody since 07.12.2025 in connection with Triveniganj P.S. Case No.567/25 u/s- 109(1), 3(5) of B.N.S and 25(1-b)a, 26/35 of Arms Act.</p> <p>Ld. counsel for the accused/ petitioner argued that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to local politics and enmity. He further submitted that accused/ petitioner is also involved in one more case. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that the accused/ petitioner is in judicial custody since 07.12.2025 and no useful purpose would be served by keeping the accused/ petitioner behind the bar.</p> <p>Ld. PP for the State strongly opposed the prayer of bail application.</p> <p>In brief, the prosecution story is that on dated 29.11.2025 at about 01:40 P.M., the informant namely Chandra Shekhar Jaiswal has given the written application to the police of PS Triveniganj stating therein that his younger brother Shashi Ranjan Jaiswal, who is doing the grain business at Lalpatti, Triveniganj and on dated 26.11.2025 after closing his shop he has gone to the house of Dev Narayan Choudhary to participate in <i>Saradh Bhoj</i> and at about 07:15 P.M., he was returning from there and at about 07:55 P.M the informant received the information that his brother has sustained bullet injury by two unknown persons, who were riding on Apache Motorcycle at Maheshua, ward No10. The informant further alleged that his brother has sustained four round gun shot injury. Thereafter, the informant has informed Ashish Kumar and he immediately reached at the place of occurrence and the injured was taken to Sub-divisional Hospital, Triveniganj. Lateron he was referred to Surya Hospital, Saharsa for better treatment.</p> <p>Argument heard from both sides and perused the lower court record as well as case diary. Admittedly, the accused/ petitioner is in judicial custody since 07.12.2025.</p>	

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On going through the case diary, it transpires that the police has also mentioned the description of the place of occurrence in para No.4 and also recorded the statement of witnesses namely Rinku Choudhary, Amod Choudhary, Ashish Kumar and Shobha Devi and all the witnesses have stated in-verbatim that the injured sustained bullet injury caused by two persons, who were riding on Apache Motorcycle and the injured was taken to Sub-divisional hospital, Triveniganj and later on the injured was referred to Surya Hospital, Saharsa for better treatment. As per para No.27 of the case diary, during the course of investigation the police has found that the wife of the injured namely Soni Kumari has the illicit relation with one accused namely Brajesh Kumar, who is the resident of her parental home. Thereafter, the police collected the called details of Soni Kumari and Brajesh Kumar and as per para No.31 of the case diary on 26.11.2025 at about 06:53 P.M and 07:34 P.M there was the call duration between Soni Kumari and Brajesh Kumar for about 1391 seconds and 1520 seconds respectively. Thereafter, as per para No.38 of the case diary, the accused Brajesh Kumar was arrested by the police on 07.12.2025 from his house and during the course of interrogation his mobile phone was also seized by the police and he disclosed to the police that there was the illicit relation between him and Soni Kumari since long time and both were trying to solemnize the marriage and in order to eliminate the husband of Soni Kumari, accused Brajesh Kumar has hired two contract killers namely Sudhanshu Kumar and Rupesh Kumar and the accused Brajesh Kumar has promised to pay them Rs.1,20,000/- and handed over them Rs.1,00,000/- as advanced and agreed them to pay Rs.20,000/- after completion of the work. The police has duly seized the mobile phone used by the accused Brajesh Kumar. Thereafter, as per para No.45 of the case diary, the police arrested the accused Sudhanshu Kumar and recorded his disclosure statement and a cash of Rs.62,000/- and mobile phone was also recovered from his possession. After that as per para No.53 and 54 of the case diary, the police arrested the accused Soni Kumari and recorded her disclosure statement and the mobile phone, which was used for the purpose of talking with Brajesh Kumar was also recovered from her possession. The police also collected the exhibits from the place of occurrence and the same has sent to FSL but the report has not been received so far. As per para No.72 of the case diary, from the place of occurrence 4 used empty bullet was also recovered and from the possession of the accused one country made pistol and four round of cartridges was also recovered. As per the injury report of the injured Shashi Ranjan Jaiswal as stated by the

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I.O in para No.111 of the case diary, the doctor has found altogether 5 injuries on his body i.e., (i) penetrating wound on left elbow region, (ii) penetrating wound on right lateral chest, (iii) penetrating wound on left lower back, (iv) entry wound present and (v) burn and tattoo mark present and the doctor has specifically opined the fire arm weapon was used. As per para No. 115 of the case diary, accused/ petitioner Rupesh Kumar is also involved in one more case bearing Triveniganj PS Case No.580/25 under Arms Act. The allegation against the accused/ petitioner is very serious in nature. There is the strong apprehension of tempering of the prosecution evidence by the accused/ petitioner.

Hence, taking into consideration the seriousness of the allegation, I find that the accused/ petitioner is not entitled to be enlarged on bail. Therefore, the bail application, filed on behalf of accused/ petitioner, namely Rupesh Kumar, stands **Rejected**.

Dictated  
-Sd-  
(Anant Singh)  
Sessions Judge, Supaul