

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53222 of 2025

Arising Out of PS. Case No.-1651 Year-2024 Thana- PHULWARISHARIF District- Patna

Md. Ashfak Ahmad S/o Mohammad Assgar R/o village- Khalilpur, P.s-
Phulwari sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 103(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, on 24.10.2024 at about 1:00 P.M., when the son of informant was returning home with his child, then the informant's grandson shouted that three persons were firing upon his father. Upon hearing such sound, the informant ran towards the place of occurrence where he found that his son sustained fire-arm injury at several places in his abdomen and neck. The informant tried to take his son to hospital, but his son died on the way.

4. Petitioner is not named in the F.I.R. Name of the petitioner surfaced during investigation in the confessional



statement of co-accused Rohit Kumar. He further submits that during course of investigation, it has come that at the time of alleged occurrence, the tower location of mobile phone of petitioner was not found near the place of occurrence. Similarly situated co-accused Rocky Kumar has already been granted anticipatory bail by this Court, vide order dated 09.07.2025 passed in Cr.Misc. No. 19720 of 2025. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Patna in connection with Phulwari Sharif P.S. Case No. 1651 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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