

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13655 of 2026

Arising Out of PS. Case No.-662 Year-2023 Thana- RAJAON District- Banka

Ashutosh Kumar S/o Vijay Kumar Yadav Resident of village- Badi Dhaka,
P.S -Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 394 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant along with his villager, namely, Manilal Yadav was returning to his house after selling their buffalo. When they reached to Ajeet Nagar Pahadi, four unknown persons hiding their faces stopped the informant and his villager and started demanding cash from them. It is further alleged that one of the accused persons fired upon the villager, namely, Manilal Yadav, as a result of which he sustained gunshot injuries. When the informant tried to apprehend the said accused persons, he was also fired upon and



sustained gunshot injuries. It is further alleged that the accused persons snatched Rs. 75,000/- from the informant and Rs. 1,00,000/ from the villager, Manilal Yadav.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the FIR was lodged against unknown miscreants. During the course of investigation, one Md. Sahin has given his confessional statement and on the basis of the said confessional statement name of the petitioner has surfaced. It is further submitted that nothing has been recovered from the conscious possession of this petitioner. Save and except the confessional statement of co-accused, there is nothing against him. It is further submitted that the petitioner is having criminal antecedent of six cases and only on the basis of the criminal antecedent, he has been framed in this case. Moreover, the petitioner is languishing in judicial custody since 23.11.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on



bail in connection with Rajoun P.S. Case No. 662 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka.

7. However, it has been brought on record that the petitioner has criminal antecedents in 6 cases. In such circumstances, he is directed to cooperate in the trial, remain physically present on each and every date fixed by the court, and mark his attendance once every week at Banka Police Station.

(Ashok Kumar Pandey, J)

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