

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18342 of 2026

Arising Out of PS. Case No.-337 Year-2025 Thana- SHERGHATI District- Gaya

Ashish Kumar Son of Baleshwar Prasad R/o Village - Ramna, P.S. - Sherghati, Dist. - Gaya Jee.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Shailesh Kumar Singh, learned counsel
for the petitioner and Mr. Ram Sumiran Rai, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 30.07.2025 in connection with Sherghati P.S. Case No. 337 of 2025, F.I.R. dated 20.07.2025 for the offences punishable under Sections 109, 126(2), 11592) and 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, while the informant was walking in the garden, three accused persons on motorcycle overtook him and co-accused Danish Ekbal fired upon him due to which he received injury.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. The petitioner is not named in the FIR and his name has been transpired during investigation on the basis of the confessional statement of the co-accused, Vicky Kumar. He further submits that till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 30.07.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not named in the FIR and his name has been transpired on the basis of the confessional statement of the co-accused and no TIP has been conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati P.S. Case No. 337 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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