

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23013 of 2026

Arising Out of PS. Case No.-12 Year-2024 Thana- KALYANPUR District- Samastipur

Ashutosh Kumar @ Ashutosh Singh S/O Braj Kishore Mahto @ Birju Mahto
@ Birju Singh Resident of Village - Kalyanpur, Ward No.2, Police Station
-Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kalyanpur P.S. Case No.12 of 2024 registered for the offence punishable under Sections 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the husband of the informant was returning after supplying milk at milk center by his bike. In the meanwhile, three persons on a bike who were having mask on their face arrived there and started firing. The brother-in-law of the informant attempted to apprehend the accused persons but they fired at him also.

4. Learned counsel appearing on behalf of the



petitioner has submitted that from perusal of the FIR it is clear that the FIR was lodged against unknown miscreants. During course of investigation on 20.03.2024 after delay of two months and ten days, police has recorded *fardbeyan* of Raj Kumar, the husband of the informant, wherein he has identified the petitioner as one of the assailants. Learned counsel for the petitioner has further submitted that the statement of the informant's husband was recorded at belated stage and prior to him nobody has named the petitioner. Learned counsel for the petitioner has further submitted that from perusal of the order of the learned trial court it is clear that both the injured persons of this case have received grievous injuries. It has further been submitted that nothing has been recovered from the possession of the petitioner. Learned counsel for the petitioner has further submitted that the petitioner is in judicial custody since 15.01.2026.

5. The application for bail is opposed by learned APP for the State. Learned APP has further stated that the petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No.12 of 2024.

(Ashok Kumar Pandey, J)

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