

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29475 of 2026

Arising Out of PS. Case No.-509 Year-2025 Thana- JANDAHA District- Vaishali

Ashwini Kumar Singh @ Ashwani Kumar S/o Sharda Ranjan Singh @
Bhawani Singh R/o Village - Teliyadu, P.O. - Kalyanpur, P.S. - Rajapakar,
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Jandaha P.S. Case No.509 of 2025, dated 02.12.2025, registered for the offence punishable under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the FIR, the petitioner is allegedly said to have shot fire upon the informant with intention to kill him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case on account of a monetary dispute, as both the petitioner and the informant are working in the same company.



It is further submitted that the alleged occurrence is said to have taken place on 01.02.2025, whereas the FIR came to be instituted on 02.12.2025, after a delay of about ten months. It is contended that no explanation whatsoever has been furnished in the FIR for such an inordinate delay. It is the specific case of the petitioner that, merely to attract the provisions of the Arms Act, the informant is alleged to have preserved the empty cartridge for all these months and produced the same before the police at the time of institution of the FIR, for which no prudent explanation has been offered. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Taking into account the delay of 10 months in lodging of the FIR and that the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge- VIIth-cum-Additional Chief Judicial Magistrate- VIIth, Muzaffarpur/Successor Court in connection with Jandaha



P.S. Case No.509 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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