

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31272 of 2026

Arising Out of PS. Case No.-561 Year-2025 Thana- MAHARAJGANJ District- Siwan

Ashish Kumar @ Vijendra Kumar @ Vijayendra Kumar Son of Arvind Kumar @ Arbind R/o- Ward No. 4, Nakhash Chauk, Purani Bazar, Maharajganj, P.S.- Maharajganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2026 Heard Mr. Satyendra Rai, learned counsel for the petitioner and Mr. Anil Prasad Singh, learned APP for the State.

2. Petitioner seeks bail who is in custody since 03.12.2025 in connection with N.D.P.S Case No. 09 of 2026 arising out of Maharajganj P.S. Case No. 561 of 2025, F.I.R. dated 19.11.2025 for the offences punishable under Sections 310(4), 310(5), 111 of Bharatiya Nyay Sanhita, 2023 and Section 25(1-B)(a), 26, 35 of Arms Act and Section 8(c), 220(B)IIB of the Narcotic Drugs & Psychotropic Substance Act, 1985.

3. Recovery is of one loaded pistol with one live cartridge, two knives, three mobile phones and 1.5 kg of Ganja.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. The name of the petitioner has been transpired on the basis of confessional statement of apprehended co-accused persons. From bare perusal of the seizure list it appears that alleged recovery has been made from the possession of co-accused persons, namely, Prince Kumar Pandey, Rohit Kumar, Pawan Kumar @ Jhantu and except the disclosure made by apprehended co-accused persons, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet. The petitioner is in custody since 03.12.2025.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents but fairly submits on the basis of paragraph-3 of the bail application that the petitioner has been acquitted in three cases and one case is pending for consideration before competent Court of law.

6. Considering the aforesaid facts and circumstances , 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 District



and Sessions Judge-1st-cum-Special Judge, Siwan in connection with Maharajganj P.S. Case No. 561 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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