

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29153 of 2026

Arising Out of PS. Case No.-344 Year-2024 Thana- KALYANPUR District- Samastipur

Ashutosh Kumar @ Ashutosh Singh S/o Brij Kishore Mahto @ Birju
Resident of Village -Kalyanpur, 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. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 19-06-2026 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 103(1) and
3(5) of the B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the
father of the informant had gone along with one Sudhir Madhan
and, at about 12:50 P.M., information was received that the
informant's father had been murdered by some unknown
miscreants. Upon receiving such information, the informant
reached the place of occurrence and found the dead body of his
father lying on an e-rickshaw. The driver of the e-rickshaw was
also found shot dead. It is alleged that Sudhir Madhan was



present there and claimed that he could identify the assailants.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that the name of this petitioner has transpired in this case in the confessional statement of co-accused Phool Babu Ram that too in para '181' of the case diary. It has further been submitted that from perusal of the order of learned trial Court, it is clear that learned trial Court has recorded that Phool Babu Ram has stated in his confessional statement categorically that it is he who has contacted with the petitioner to eliminate the father of the informant and on the fateful day on the order of Phool Babu Ram, this petitioner and one Arjun Paswan shot bullet to father of the informant indiscriminately, causing his death.

5. Learned counsel for the petitioner has further submitted that in postmortem, the father of the informant and the e-rickshaw driver both have received one gun shot injury each. It has further been submitted that co-accused Arjun Paswan has already been granted bail by this Court vide Cr. Misc. No. 30155 of 2026. The case of this petitioner stands on similar footing. Moreover, he is languishing in judicial custody



since 30.01.2026.

6. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

7. 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 Kalyanpur P.S. Case No. 344 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Samastipur.

(Ashok Kumar Pandey, J)

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