

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31110 of 2026

Arising Out of PS. Case No.-1014 Year-2023 Thana- NAGAR District- Vaishali

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Md. Ashif Mustafa S/o Md. Jubair Alam @ Zubair Alam R/o Village -
Maksudpura S.D.O Road, Ward no.- 12 , P.S - Nagar (Town) Hajipur , District
- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Vaishali Nagar P. S. Case No. 1014 of 2023 registered for the
offences punishable under Sections 307/34 of the Indian Penal
Code to which Section 302 IPC and Section 27 of the Arms Act
were added later on.

3. As per prosecution case, this petitioner along with
other accused persons entered the house of informant and co-
accused Nilesh Kumar fired upon the husband of informant as a
result of which, he died during course of treatment.

4. Learned counsel for the petitioner submits that
petitioner is only alleged to be present at the place of



occurrence. Specific accusation of firing is against co-accused Nilesh Kumar and there is no allegation of any specific overt act against petitioner. Petitioner claims clean antecedent and is in custody since 19.08.2025.

5. However, learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation, clean antecedent and period of custody, this bail application is allowed. The petitioner, above named, is directed to 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali Nagar P. S. Case No. 1014 of 2023.

(Prabhat Kumar Singh, J)

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