

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41669 of 2026

Arising Out of PS. Case No.-136 Year-2026 Thana- ALAMGANJ District- Patna

Ashish Pandey @ Ashish Kumar, S/o Vijay Shankar Pandey, R/o Meena Bazar V2 Mall Domkhana Devi Sthan ke Pass, Police Station - Alamganj, District-Patna Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Alamganj P.S. Case No.136 of 2026 registered under Sections 111 and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS') and Sections 25(1-B)(a), 26, 35 of the Arms Act.

3. As per FIR, four persons were apprehended, who were in possession of two automated pistols, one country-made pistol and multiple live cartridges, who upon arrest disclosed the name of petitioner and further disclosed that they being contract killers was making conspiracy to commit murder of one, namely, Suraj Bhaisiya and Sunil Bhaisiya on account of ongoing land disputes.



4. It is submitted by learned counsel appearing for the petitioner that the petitioner was not amongst the apprehended co-accused persons and he was implicated with present crime on the basis of suspicion as disclosed by arrested accused persons. It is pointed out that the maximum allegation against the petitioner is of liner. It is further submitted that similarly alleged co-accused namely, Govind Kumar @Govind Dome has already granted bail by one of the learned co-ordinate Bench of this Court through Crl. Misc. No.34604 of 2026 vide order dated 15.07.2026 and therefore, on the ground of parity, this petitioner also deserves bail.

5. Arguing further, it is submitted that the FIR was lodged wrongly for the offence of "organized crime" within the meaning of Section 111 of the BNS as the allegation of "continuing unlawful activity" within the meaning of explanation (II) of Section 111 of the BNS not appears fulfilled. Explaining criminal antecedent, it is submitted that petitioner found involved in one criminal case, where he is on bail.



6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as the allegation against this petitioner is of liner, where implications appears *prima facie* on the basis of suspicion out of disclosure of apprehended co-accused persons, coupled with the fact that the allegation of organized crime also not appears convincing against petitioner as discussed aforesaid, accordingly, the petitioner above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, 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 Additional Chief Judicial Magistrate, Patna City, Patna in connection with Alamganj P.S. Case No.136 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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