

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38738 of 2026

Arising Out of PS. Case No.-74 Year-2026 Thana- BELHAR District- Banka

Ajay Kumar Singh @ Photi Singh S/O Late Gorelal Singh R/O Village-
Beldiha, PS-Belhar, Distt- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.03.2026 in connection with Belhar P.S. Case No. 74 of 2026
for the offences punishable under Sections 126(2), 115(2),
109(1), 308(4), 352, 351(2), 3(5) of BNS and Section 27 of the
Arms Act.

3. The case of prosecution is engendered upon an
application filed by one Sanjiv Kumar Singh with the
allegations that on 18.03.2026, at about 08:00 pm, his son
Ambuj Kumar Singh along with his friend Saksham Kumar
Singh and Satyam Kumar Singh was sitting in the Kali temple.
Then, (i). Rajesh Kumar Singh, (ii). Rajnish Kumar Singh, (iii).
Ajay Kumar Singh @ Photi Singh in collusion with each other



came there and Rajesh Kumar @ Title Singh started abusing and threatened him and demanded Rs. one lakh as extortion money within five minutes. When his son retaliated, Rajesh Kumar Singh provoked to shoot him, upon which Rajnish Kumar Singh took pistol from his lumbar and fired upon his son Ambuj Kumar, which inflicted injury on his temple area. By hearing this sound, the informant and his family members came to rescue and saw his son in injured condition whereas Nitish Kumar was waiving pistol in his hand and demanding Rupees one lakh as extortion money.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is further submitted that it appears from the FIR that although the petitioner is named in the FIR but from perusal of the FIR it appears that there is no specific allegation of assault or overt act or firing is attributed against the petitioner. It is next submitted that petitioner has been made an accused in this case merely on the ground that petitioner is member of the mob. It is also submitted that allegation of firing



is attributed against one accused person, namely, Mr. Rajnish Kumar Singh. Learned counsel for the petitioner further submits that the date of occurrence as alleged in the FIR is 18.03.2026 and the FIR has been instituted on 20.03.2026 i.e., after a delay of two days without giving any explanation of delay. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 21.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

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 CJM, Banka in connection with Belhar P.S. Case No. 74 of 2026, 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)

Gaurav Sinha/-

U		T	
---	--	---	--

