IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57423 of 2026

CNR No. BRHC010784982026

Arising Out of PS. Case No.-46 Year-2026 Thana- KRISHNAGARH District- Bhojpur

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Ankit Paswan S/o Nandji Paswan Resident of Village- Sohara Tribhuyani, P.S.- Krishnagarh, District- Bhojpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Uday Pratap Singh, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP
For the Informant : Mr. Angad Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 27-10-2026 Heard learned Counsel for the petitioner, learned Counsel for the informant and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of regular bail to the petitioner who is in custody in connection with Krishnagardh P.S. Case No. 46 of 2026, lodged on 14.03.2026, under Sections 103/3(5) of the BNS and under Section 27 of the Arms Act, pending in the court of learned Additional Chief Judicial Magistrate- VII, Bhojpur at Ara.

3. As per the prosecution, the FIR has been lodged

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against three named accused persons including the present petitioner with allegation that the petitioner in connivance with the other accused persons killed the son of the informant by gun shot.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that name of the petitioner has come only by virtue of suspicion as two days earlier dispute took place between the deceased and the petitioner. Counsel submits that from bare reading of FIR it transpires that there is no eye witness of the occurrence and in the case-diary also, there is no material has come against the petitioner. Counsel submits that petitioner is unnecessarily in custody since 16.03.2026. Learned Counsel for the petitioner submits that the antecedent of the petitioner is not clean. There are two criminal cases pending against the petitioner in which he is on bail.

5. Learned Counsel for the informant, on the other hand, vehemently opposes the prayer for bail and submits that it is true that there is no eye witness of the occurrence but circumstantial evidence is against the petitioner. Counsel submits that two days earlier dispute took place and they are well known to each other. Counsel submits that antecedent of

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the petitioner is not clean. Counsel submits that from two witnesses have seen the petitioner near the place of occurrence.

6. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that the circumstantial evidence is against the petitioner.

7. Considering the short period of custody and nature of allegation, this Court is not inclined to grant bail to the petitioner. Therefore, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby refused at present.

(Dr. Anshuman, J)

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