

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71900 of 2025

Arising Out of PS. Case No.-386 Year-2024 Thana- BAUNSI District- Banka

Ashish Kumar S/O Bijay Singh Resident of Village- Sirayn, P.S- Bounsi,
Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash Dwivedi, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bounsi
P.S. Case No. 386 of 2024 instituted for the offences under
Sections 103(1), 61(2) of the Bhartiya Nyaya Sanhita, 2023 and
Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
accused persons, including the petitioner, is of committing
murder of the Informant's son by firing.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to local village politics. There is no eye-witness to the
alleged occurrence. There is no specific or direct allegation



against the petitioner. Learned counsel for the petitioner further submits that the Ashish Kumar @ Raja (Petitioner) has confessed his guilt before the Police, which has no evidentiary value. The petitioner has one criminal antecedent and is languishing in judicial custody since 28.12.2024 without any rhymes or reason. Charge-sheet has been submitted in this case

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner and others under Sections 103(1), 61(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 25(1-b)a/26/27/35 of the Arms Act. There is direct allegation against the petitioner that he has fired on the son of the informant.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence and there is direct allegation against the petitioner, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.



9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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