

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78339 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- KHUSRUPUR District- Patna

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Ashiq Kumar @ Ghamandi Kumar @ Pankaj Kumar Son of Budhan Mahto
R/O Hardash Bigha, Bind Toli, P.S.- Khushrupur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kritu Verma, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-02-2026 Heard Mr. Kritu Verma, learned counsel for the
petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is in judicial custody in connection with Khusrupur PS Case no. 64 of 2024 for the offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code lodged on 18.02.2024 by the informant, Arvind Kumar.

3. Earlier the bail of the petitioner was rejected twice in Cr. Misc. No. 45196 of 2024 on 18.09.2024 and Cr. Misc. No. 79286 of 2024 and this is his third attempt.

4. As per the FIR, the police who is the Station House Officer, Khusrupur, Patna alleged that in the night, he got confidential information that the accused persons along with other unknown have killed a lady (Bhukhiya Devi) and a man by drowning them into the river. On such information, the police



raided the place and picked up the petitioner, Ashiq Kumar @ Ghamandi Kumar @ Pankaj Kumar. Upon search from his pocket, a mobile was found containing a video recording which clearly shows that a female and a male were tied in rope, beaten. As the said video was sent to one Nand Kumar's mobile, he was also picked up and then Nand Kumar gave the statement that the lady was having illicit relationship with the unknown and when they were found in objectionable position, on the alarm raised by Sobia Devi, Munni Lal Mahto, Fula Devi, Jagdish Mahto, Raj Kumari Devi, Samil Kumar, Mukesh Kumar, Horil Mahto, Raj Kumar, Chandeshwar Mahto, Somar Mahto, wife of Mukesh Mahto, Ashok Mahto, Pragya Mahto, Jaddu Mahto, Sikandar Mahto, Ramtahal Mahto, Dilip Mahto along with 10-15 persons were present who took unanimous decision to assault and later dragged them to river Ganga and after taking them on a boat, they were thrown to drown in the river. This led to the FIR.

5. In this case, the Trial Court report was called for according to which, charges have been framed and one witness has been examined till 28.11.2025.

6. Learned counsel for the petitioner submits that allegation is there against 22 named persons including this petitioner and Nand Kumar besides Ashok Mahto who have been granted relief by Co-ordinate Benches in Cr. Misc. No. 46768 of



2024 and 80696 of 2024 respectively. He further submits that if granted relief, he shall be diligently appearing in trial and shall not indulge in any criminal activity.

7. Learned APP opposes the prayer for bail submitting that allegation against them is of taking the two young persons (male and female) to the river and drowning them.

8. Though an unfortunate incident has happened and two young persons have been drowned as per the allegation, earlier, the bail applications of the petitioner were rejected twice by this Court in **Cr. Misc. No. 45196 of 2024** and **Cr. Misc. No. 79286 of 2024**. However, in view of the fact that Co-ordinate Benches have allowed bail to the similar situate persons, an undertaking has been given that he shall be diligently appearing in trial and shall not indulge in any criminal activity, in that background, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge, 1st Patna City in connection with Khusrupur PS Case no. 64 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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