

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.876 of 2026

Arising Out of PS. Case No.-486 Year-2024 Thana- AGAMKUAN District- Patna

Ashik Kumar @ Ashik @ Chhotu @ Chhote Sarkar Son of Nankhu Mahto @
Ram Kishun Mahto @ Ram Krishan Mahto Resident of Village- Dhanuki
Jaipur, P.S.- Agam Kuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-01-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Agamkuan P.S. Case no.486 of 2024 registered under sections 399, 402, 414 and 120B of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on information having been received about accused persons having gathered and planning to give effect to an occurrence, it is stated that a raid was conducted. Two persons namely Raviraj Kumar and Animesh Kumar were arrested and they disclosed the name of the other accused who had managed to escape which included the petitioner herein. The informant further states that various



incriminating articles including a loaded country made pistol etc. were recovered from the accused who were caught at the place of occurrence.

4. Learned counsel for the petitioner submits that from the contents of the FIR itself, it would transpire that the petitioner was neither arrested at the spot nor any incriminating article recovered from his possession. The only material against the petitioner is the statement of a co-accused made before police. The cause of false implication of the petitioner is his antecedent. The petitioner is in custody since 8.7.2025 and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in FIR, the material that has transpired in course of investigation as is evident from the order of the learned trial Court, no incriminating article having been recovered from the petitioner's possession, the petitioner having remained in custody for 6 months since 8.7.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Agamkuan P.S. Case no.486 of 2024 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 IV, Patna City, District Patna.

(Partha Sarthy, J)

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