

The court of 17th Distt. & Addl. Sessions Judge, Muzaffarpur

A. B. P. No. 1746 / 2026

In the matter Of :

1. Ashish Kumar @ Ashish Kumar Jha

S/O Radhey Shyam Jha

R/O Village – Kharhar Gosaipur,

P.S.- Rampurhari

Distt.-Muzaffarpur

Petitioner.

Vs

The State of Bihar

Respondent

CrI. Antecedent : NIL (para-3 of bail application)

(In connection with Ahiyapur P.S. Case No. 928/2025)

Counsel for the petitioner : Mr. Deepak Kumar, Ld. Advocate

Counsel for the Respondent : Mr. Dharmendra Kr. Chaudhary Ld. A. P. P.

ORDER

Date : 30/04/2026

1. The above named petitioner seek anticipatory bail in connection with **Ahiyapur P.S. Case No. 928/2025** for offences punishable U/S 312 BNS & Section 25(1-b)a, 26, 35 Arms Act.
2. The learned counsel for the petitioner has submitted that he is innocent and he had committed no offence as alleged in the FIR and has falsely been implicated in this case. The petitioner had earlier filed no bail application before this court or before the Hon'ble High Court.
3. The prosecution case in brief is that on 05.07.2025 at about 10:00 am he alongwith police personnel left the PS for day Gasti, at about 1:30 pm after checking the Bandhan Bank he returned the stairs and saw suspected person who tried to enter in bank. He arrested the person on spot on seeing police party out in a swift desire he tried to run away. Four persons who ran away through motorcycle police party caught one person also. After searching the car several articles were recovered. They stated the name of this petitioner. The other co-accused persons have already been granted bail

by this court. The petitioner has no criminal antecedent as per para – 3 of bail application. Hence, prayer was made to grant pre-arrest bail.

4. Per contra, the Ld. A.P.P. has opposed the bail plea.
5. Rival contentions of the parties were heard and, perused the record. Record of this bail application was put up with case record of S.Tr. No. 952/2025. From perusal of the record, it appears that accused was not from the spot and the only material against him is confession of co-accused before police. I find courts in the submission of the Ld. Defence Counsel that the entire case is misplaced as the alleged act in the FIR does not constitute the offence punishable U/S 312 BNS. The acts complained seems to be restricted only to the stage of preparation in this inchoate crime.
6. Considering the aforesaid facts and circumstances, I am of the considered opinion that the petitioners do deserve the privilege of pre-arrest / Anticipatory Bail and as such, they are directed to be released on furnishing a personal bond of Rs. 5,000/- with one surety of the like amount. Let the copy of this order be communicated to the concerned Court of Ld. .C.J.M, Muzaffarpur for information and needful.

Sd/-

Anil K. Thakur

17th Distt. & Addl. Sessions Judge,

Muzaffarpur.

The Court of 17th Distt. & Addl. Sessions Judge, Muzaffarpur

Memo No..... dated

Copy forwarded to

1. Ld. C.J.M, Muzaffarpur for information and needful.

D&ASJ-17,MZP