

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14318 of 2016

Arising Out of PS.Case No. -400 Year- 2015 Thana -DANAPUR District- PATNA

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Ajit Rai @ Ajit Kumar S/o Shri Jai Narayan Rai R/v Daldali Road,
Danapur, P.S.-Danapur, Distt - Patna.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Parmanand Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 16-05-2016 Supplementary affidavit has been filed on behalf of

the petitioner annexing entire order sheet in Trial No. 34 of 2014
arising out of Danapur P. S. Case No. 620 of 2013 and also
Sessions Trial No. 1039 of 2014.

Keep it on the record.

Heard the learned counsel for the petitioner as well
as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Danapur P.S. Case No. 400 of 2015, G.R. No. 3280 of 2015
registered for the offences punishable under Sections 147, 148,
149, 341, 307, 302, 120B of the Indian Penal Code.

The petitioner is not named in the first information
report, but during investigation the name of the petitioner
transpired in this case. There is allegation that when Dhanpat Rai

and Shambhu Rai were returning after consulting his advocate Shri Jay Prakash Singh, Additional PP, in the way accused persons being armed with deadly weapons attacked and killed both.

Submission is of false implication and that the petitioner was in custody at the relevant time. The petitioner has been remanded in this case from Danapur P. S. case No. 620 of 2013 on 31.08.2015. Without any legal and tangible material, the petitioner has been remanded in this case. The petitioner has been in custody in Beur jail since 16.11.2013 continuously and, as such, the petitioner deserves sympathetic consideration. Chargesheet has already been submitted without any proper investigation and there is no chance of tampering with prosecution evidence.

The learned A.P.P fairly submits that the name of the petitioner has come during investigation.

In the facts and circumstances stated above, considering the submission of the parties, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Danapur P.S. Case No. 400 of 2015, G. R. No. 3280 of 2015, subject to the conditions that one of the bailors must be a near relative and

another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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