

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48266 of 2017**

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AJAY KUMAR MALI @ DOMAN MALI, S/O LATE SATYENDRA  
MALI, R/O STATION ROAD, MOHANIA, P.S.- MOHANIA, DISTT-  
KAIMUR (BHABUA).

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Nandan Sahay, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar-1, APP

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

3      14-11-2017

Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor.

Informant's brother-in-law while was returning from  
his shop over his motorcycle along with sale proceed after closing  
the shop was intercepted by the criminals who, after causing  
firearm injury succeeded in snatching of motorcycle as well as cash  
appertaining to Rs.30,000/- along with three mobiles. It is evident  
that informant is not an eyewitness. Furthermore, from the case  
diary, it is apparent that examination of victim was recorded under  
para-38 of the case diary wherein, he disowned to identify any of  
the culprit on account of darkness. It is further evident that  
petitioner along with others who were under judicial custody in  
connection with other cases were remanded in this case. Para-111  
happens to be inculpatory extra judicial confessional statement of  
co-accused Vikash Kumar Yadav while paragraph 123 happens to  
be that of petitioner without any fruitful result.



In spite of presence of criminal antecedent, on account of paucity of the relevant material, petitioner Ajay Kumar Mali @ Doman Mali is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Bhabua in connection with Durgawati P.S. Case No.61/2017.

**(Aditya Kumar Trivedi, J.)**

Prakash Narayan

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