

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21369 of 2018

Arising Out of PS.Case No. -238 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Ajay Rai @ Ajay Kumar Roy, son of Shiv Shankar Rai, resident of Village
- Phulbariya, P.S. - Mahua, District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-05-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 19.11.2016 in
connection with Lalganj P.S.Case No.238 of 2016 registered
for the offence under Sections 394, 307 and 326 of the Indian
Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioner submits that the
petitioner has been taken into custody on the basis of
confessional statement, which has no evidentiary value. It is
further submitted that co-accused Raj Kapoor @ Raj Kapoor
Kumar Sah, who was also arrested in connection with the
present case, has since been extended the privilege of bail
vide order dated 30.03.2017, passed in Cr. Misc. No.14541 of



2017.

In view of the fact that till date, no T.I. Parade has been conducted and there was no recovery from the possession of the petitioner pursuant to the confessional statement made, let the petitioner, above named, be released on bail on his furnishing 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- IV, Vaishali, in connection with Lalganj P.S. Case No.238 of 2016, subject to the following conditions:

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the



State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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