

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13306 of 2020

Arising Out of PS. Case No.-432 Year-2019 Thana- KUDHNI District- Muzaffarpur

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AJAY KUMAR @ AJAY SAHNI @ AJAY SAHANI Son of Dilip Sahani @ Dilip Sahni Resident of Village - Maheshpur, P.S.- Pear, District- Muzaffarpur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Ms. Kanchan Kumari, Advocate.
For the State : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 12-10-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Kudhani P.S. Case No.432 of 2019 registered under Sections 393, 413, 414 and 120B/34 of the Indian Penal Code besides Sections 25(1-B)a, 26 and 35 of the Arms Act.

The accusation is that in course of patrolling duty by the informant along with other police personnel, one person seeing the police vehicle started raising alarm about the attempt of robbery of his pickup van by five persons, who were sitting in white colour Scorpio vehicle bearing Registration No.BR32K-0890 and their moving towards the direction of Sakri. Thereafter, the informant along with other police



personnel proceeded to that direction and stopped the said vehicle in which five persons were found sitting. The persons, who were sitting in the said vehicle, disclosed their name as Ajay Kumar (petitioner), who was found in possession of one loaded country made pistol and one live cartridge, Mithun Kumar, who was found in possession of one knife and two master-keys, Iltaf Ahmad, who was found in possession of one knife and two master-keys, Rajendra Kumar, who was found in possession of one knife and one master-key, and Md. Tazim, who was found in possession of one knife and two master-keys.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that there is allegation against the petitioner that he was found in possession of one loaded country made pistol and one live cartridge. The petitioner, in the present case, is in custody since 06.07.2019. Further submission is that while the petitioner is accused in two other cases, as detailed in paragraph-3 to this application, but in those cases, the petitioner is on bail.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Additional Chief Judicial Magistrate-III
(West), Muzaffarpur, in connection with Kudhani P.S. Case
No.432 of 2019. Out of the two sureties, one must be either
parents or the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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