

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70961 of 2019**

Arising Out of PS. Case No.-300 Year-2019 Thana- KAJI MUHAMMADPUR District-  
Muzaffarpur

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AJAY KUMAR PATEL @ AJAY PATEL Son of Baleshwar Patel Resident of  
Mohalla- Maripur, Baksi Colony, Ramrajee Road, P.S.- Kazimohammadpur,  
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Vaishnavi Singh,  
Mr.Malay Kumar Choudhary, Advocates  
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

(The proceedings of the Court are being conducted through Video  
Conferencing and the Advocates joined the proceedings through  
Video Conferencing from their residence.)

4      21-10-2020                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner apprehends his arrest in a case  
registered for the offence punishable under Sections 341, 323,  
504, 307 of the Indian Penal Code and Section 27 of the Arms  
Act.

Allegation against the petitioner is to have first  
assaulted the informant and thereafter also fired from pistol  
upon his left eye and rest of the accused also assaulted the  
informant from back side of his head.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case. It is further submitted that occurrence took place on 14.07.2019 but fardbeyan was recorded on 27.7.2019 which itself creates doubt about the prosecution story. It is further submitted that injury has been found to be simple in nature. Similarly placed co-accused persons have already been granted anticipatory bail by different co-ordinate Benches of this Court as contained in Annexure 5 and 5A.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kazimohammadpur P.S. Case No.300 of 2019 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his



absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

Sanjay/-

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