

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18709 of 2021**

Arising Out of PS. Case No.-29 Year-2019 Thana- SANDESH District- Bhojpur

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AJAY TATWA @ AJAY KUMAR TATWA, S/o Brij Bihari R/o Village-
Kamariya, P.S.- Azimabad, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Sandesh
P.S. Case No. 29 of 2019, registered under Sections 394 and 307
of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel appearing for the petitioner
submits that other co-accused, whose name has been figured in
the F.I.R. has already been released on bail and in this regard,
he has made a specific statement under paragraph No.13 of the
petition. He further submits that till date, no T.I.P. has been
held by the prosecution nor any incriminating article has been
recovered from the possession of the petitioner. He further
submits that nothing has come in the C.C.TV footage to



implicate the petitioner in this case.

Learned A.P.P. appearing on behalf of State, however, opposes the bail prayer of the petitioner.

Having considered the fact that petitioner is not named in the F.I.R. and similarly situated co-accused, whose name has not figured in the F.I.R. has already been released on bail by this Court. The petitioner's name has transpired, in course of investigation, on the basis of confessional statement of co-accused Nagesh Yadav, who has already been granted privilege of bail on 26.08.2019 passed in Criminal Miscellaneous No. 52127 of 2019 and another co-accused Shiv Ratan Singh has also been released on bail by this Court vide Criminal Miscellaneous No. 43813 of 2019 on 30.09.2019. The petitioner is also languishing in jail since 16.10.2020, 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 learned J.M., Bhojpur at Ara in connection with Sandesh P.S. Case No. 29 of 2019 subject to the following conditions:

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the Court below shall be at liberty to cancel the bail bonds of the petitioner.



(b) Both the bailors shall be the resident of territorial jurisdiction of the learned Court below.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Purnendu Singh, J)

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