

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33417 of 2021

Arising Out of PS. Case No.-56 Year-2020 Thana- KADIRGANJ District- Patna

Ajit Kumar S/O Ajay Prasad R/O Maliya Mahadev, Meena Bazar, Ward
No.58, P.S. Alamganj, District Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 307/34 of the Indian Penal Code and section 25(1-B)a/26/35 of the Arms Act.

As per the prosecution case, a loaded country made pistol and two live cartridges were recovered from the possession of the petitioner and he is also alleged to have fired on the police party twice with intent to kill the informant. However, the fire opened by the petitioner did not hit any one.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. No one was hurt in the alleged firing made by the petitioner. He is in custody since



17.7.2020. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in 21464/2021. Investigation is complete.

Considering the facts and circumstances of the case, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Masaurhi in Kadirganj Police Station Case No. 56 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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