

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40738 of 2021**

Arising Out of PS. Case No.-796 Year-2019 Thana- JAKKANPUR District- Patna

Ajit Kumar @ Ajit Kumar Singh S/o Late Shiv Dayal Mahto R/o Mohalla-
North Mandiri, Bapu Nagar, P.S.- Budha Colony, District- Patna ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-10-2021 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 section 302 of the Indian Penal Code and sections 25(1-B)a/26/27 of the Arms Act.

As per the prosecution case, father of the informant was shot dead by three unknown miscreants.

Learned counsel for the petitioner submits that earlier prayer for bail of the petitioner was refused by this Court vide Annexure 1. Petitioner's name has figured during course of investigation in confessional statement of co-accused Abhishek Kumar @ Naga, who is son of the petitioner. Similarly situated co-accused Suraj Kumar @ Bhura Yadav has already been allowed bail by a co-ordinate bench of this Court vide order dated 26.8.2021, passed in Cr.Misc.No. 14795 of 2021. Petitioner is in custody since 9.12.2019.

Learned counsel appearing for the State opposes the



prayer for bail.

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 Additional Chief Judicial Magistrate I, Patna in Jakkanpur Police Station Case No. 796 of 2019 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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