

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2418 of 2021

Arising Out of PS. Case No.-538 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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AJAY KUMAR @ AJAY YADAV Son of RAJ KUMAR RAY @ Raju Rai
Resident of Village - Mohanpur Bhuidhara Ward no.15, P.S.- Muffasil, Distt.-
Samastipur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate.
For the State : Mr. Binod Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 07-07-2021 As prayed for, through Video Conferencing, let the

learned counsel for the petitioner remove the defect(s), as
pointed out by the office vide its notes dated 06.01.2021, within
four weeks of starting of the Court proceeding in physical mode
in normal course.

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 Muffasil
P.S. Case No.538 of 2019 registered under Sections 307, 323,
341, 379, 385, 387, 447, 504 and 505/34 of the Indian Penal
Code besides Section 27 of the Arms Act and Section 37(c) of
the Bihar Prohibition and Excise Act, 2016.



The accusation is that the petitioner along with the co-accused Haldhar Kapar and three unknown came at Krishna Hospital, Adarshnagar, where the informant Gaurikant Thakur was working as Compounder, and started to create nuisance at the gate having pistol in their hands. When the informant made protest then the petitioner asked about Doctor, saying that ransom of Rs.50,000/-, which was demanded, has not been given by the Doctor. Thereafter, all started to cause assault to the informant through fists and slaps. When the informant made protest, then the petitioner fired twice but, anyhow, the informant saved himself. Thereafter, all entered into the clinic and started to cause assault to the informant through fists and slaps. In the meantime, other staffs of the clinic came there, then they were also abused. At that time, due to fear, the informant gave cash Rs.7500/- to the co-accused Haldhar Kapar, who also asked to give the remaining amount within one week, otherwise Doctor would be killed.

Learned counsel appearing on behalf of the petitioner submits that, earlier, the prayer of the petitioner and the co-accused Haldhar Kapar for grant of bail was rejected by this Court vide order dated 10.01.2020 passed in Criminal Misc. No.85187 of 2019. The petitioner is in custody since



31.10.2019. The co-accused Haldhar Kapar has already been granted bail by this Court vide order dated 24.02.2021 passed in Criminal Misc. No.22107 of 2020.

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 2nd Additional Sessions Judge-cum-Special Judge (Excise), Samastipur, in connection with Muffasil P.S. Case No.538 of 2019. Out of the two sureties, one must be either parents or the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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