

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18443 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- BAKHTIYARPUR District- Patna

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Ajay Kumar @ Benga Kumar @ Benga Son of Tunna Rai @ Bongar Rai
Resident of Village - Ghoshwari, P.S. Bakhtiarpur, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner is in judicial custody in connection with B.P. No. 514 of 2021 arising out of Bakhtiyarpur P.S. Case No. 93 of 2021 under sections 147, 148, 149, 504 and 307 of the Indian Penal Code and 25(1-B)/A/27 of Arms Act.

The allegation in the FIR is that due to previous enmity on 11.5.2021 the accused persons armed variously started quarreling with the informant and after abusing him, it is also alleged that they resorted to firing. As the police reached there, they tried to escape but the villagers managed to caught hold of the petitioner herein whereafter he was handed over to the police.

Learned counsel for the petitioner submits that for the said alleged act, he has suffered a lot by being in jail since



13.5.2021 (as stated in para-8 of the bail application).

Taking into account the fact that he is in jail since 13.5.2021 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. Barh (Patna), in Bakhtiyarpur P.S. Case No. 93 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his



bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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