

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27172 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- PIRPAINTI District- Bhagalpur

Ajay Murmu, Son of Tala Murmu, Resident of Village-Kirtania, P.S. -
Paipaity, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

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

The petitioner is in judicial custody in connection
with Sessions Trial No.464/2021 arising out of Pirpainti P.S.
Case No.08/2020 instituted under Section 394 of the IPC and 27
of the Arms Act.

As per the allegation in the FIR, the informant driver
has alleged that while he was on his way to load stones, he was
intercepted by accused persons. They not only damaged the
truck and snatched Rs.20,000/- from his pocket, they also fired
on him which hit his back and the bullet passed away from the
body.

Learned counsel for the petitioner submits that he has



been remanded in this case on 25.05.2021. He further submits that some other co-accuseds namely Binod Murmur and Raju Mahto have since been granted bail by co-ordinate Benches of this Court vide Cr. Misc. No.47597/2021 and Cr. Misc. No.4698/2021.

Let the same be kept on record.

Considering the aforesaid fact that similar situate persons have been granted bail, he is in custody since 25.05.2021 and charge-sheet stands submitted, this Court is inclined to grant him bail after framing of the charges.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sessions Trial No.464/2021 arising out of Pirpanti P.S. Case No.08/2020 to the satisfaction of learned Additional Sessions Judge, XII, Bhagalpur, subject to following conditions:

(i) one of the bailor should be the family member 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 cancellation of his bail by the Trial court itself;

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

(iv) the petitioner 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 steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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