

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38617 of 2022**

Arising Out of PS. Case No.-163 Year-2022 Thana- KHAGARIA District- Khagaria

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Ajeet Kumar @ Ajit Kumar Son Of Rambilash Yadav @ Ram Vilas Yadav
R/O Village- Ward No.-12, Village- Alauli (Nearby P.H.C.) Pustakalay Road,
P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Khagaria
P.S. Case No. 163 of 2022 registered for the offence under
Sections 379, 411 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 24.02.2022.

The allegation against the petitioner is to snatch purse
of the informant, along with other co-accused persons, where
petitioner apprehended at the spot along with alleged purse,
from which, cash of Rs. 3000/- belongs to the informant, found



missing.

Learned counsel appearing on behalf of the petitioner submitted that arrest of the petitioner was made by private persons due to his involvement in six (6) criminal cases. It is submitted that neither petitioner nor alleged purse was put on TIP. It is further submitted that from perusal of FIR and seizure list, it cannot be said that alleged seized purse belongs to the informant. While concluding the argument, it is submitted that investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as arrest of the petitioner was made by private persons coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Khagaria P.S. Case No. 163 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/concerned court, subject to the following conditions:

“(i) That petitioner shall not



involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Lalu Devi, who is the mother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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