

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39182 of 2022**

Arising Out of PS. Case No.-157 Year-2020 Thana- SULTANGANJ District- Bhagalpur

Ajay Kumar Son Of Manoj Sah R/O Village- Pildauri, P.S.- Sultanganj,
District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 30-09-2022 Heard learned counsel for the petitioner and

learned APP for the State through video conferencing in

view of the COVID 19.

Let the defect(s), if any, as pointed out by the
office be removed within four weeks.

The petitioner is in judicial custody in
connection with Sultanganj P.S. Case No. 157 of 2020 for
the offences under Sections 341, 323, 384, 385, 379, 386,
387, 34 of the Indian Penal Code.

As per the prosecution story, on 1.8.2020, some
miscreants came to the informant's shop and demanded
cigarette and matches. It is further alleged that the accused
persons snatched the silver chain of the informant's mother
and also took away Rs. 3000/- and on 2.8.2020 they came



again and demanded Rs. 25,000/- and threatened the informant on the point of pistol.

Learned counsel for the petitioner submits that the allegation is general and omnibus against all these accused persons including the petitioner herein and accordingly some of them have been granted the privilege of bail vide Cr. Misc. No. 13328 of 2021 (Santosh Shah and Mithun Shah) and Cr. Misc. No. 5045 of 2022 (Illu Kumar) which has been annexed with the bail application as Annexure 2 and 3 respectively. It is his last submission that the petitioner is a student and is in custody since 3.8.2020.

Learned APP on the other hand, opposes the bail.

Considering the fact that the petitioner is in custody since 3.8.2020 and some of the similarly placed co-accused have since been released on bail, as stated above, charge-sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with



two sureties of like amount each to the satisfaction of learned Court of A.C.J.M.1st Bhagalpur, in connection with Sultanganj P.S. Case No. 157 of 2020 subject to the 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 reason will entail cancellation of his/her bail bond by the Trial Court itself;

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

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

Ravi/Ajay Singh

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