

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61819 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- DEHRI TOWN District- Rohtas

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Ajay Kumar @ Mandal Son Of Late Lakshman Singh Residen Of Village-
Bhaisaha, Police Station- Indrapuri, District- Rohtas.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Navendu Kumar
For the State	:	Mr. Uday Pratap Singh
For the Informant	:	Ms. Anu Priyadarshni

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B) of the Indian
Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 10.02.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that his wife Mousmi Bose (deceased)
was shot at her neck by a pistol from behind in a street by a man
on foot, who after firing fled while she was returning back to



her house with staff Pappu Kumar Gupta after closing her medicine shop. Further Pappu Kumar Gupta informed the informant and took her to Sadar Hospital where she declared dead by the doctor. Accordingly, the informant based on suspicion, named eight persons including the petitioner that they got her wife killed in conspiracy.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. Informant is not an eye witness to the occurrence and merely on basis of suspicion has alleged that the petitioner along with other accused in conspiracy got her wife killed. The learned counsel further submits that petitioner is having a mobile repairing shop adjacent to the shop of the deceased and as such, was known to Pappu Kumar Gupta, the staff, who was accompanying the deceased, but he has not raised even any suspicion against the petitioner.

The learned counsel for the petitioner further submits that it absolutely does not stand to reason that on what basis the informant despite not being an eye witness to the occurrence alleges that the petitioner worked like a shooter. The learned counsel further submits that similarly situated co-accused Parmanand Sarawgi has been granted bail by order dated



22.03.2022 in Cr. Misc. No.61436 of 2021 and Benketesh Mishra @ Binay Kumar Mishra has been granted bail by order dated 21.03.2022 in Cr. Misc. No.61110 of 2021.

Learned counsel for the informant as well as learned A.P.P. opposes the bail application, but are not able to meet the submission of the learned counsel for the petitioner that Pappu Kumar Gupta was known to the petitioner and he has not raised any suspicion against them. Further that co-accused has been granted bail.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and co-accused have been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No.157 of 2021 arising out of Dehri P. S. Case No.108 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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