

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56738 of 2022**

Arising Out of PS. Case No.-114 Year-2022 Thana- MUFFASIL District- Aurangabad

Ajay Kumar Singh @ Ajay Singh, aged about 52 years, Male Son of Late Alakhdeo Singh, Resident of Village- Dewkali, P.S.- Obra, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT**

Date : 23-12-2022

The matter has been heard through video conferencing.

2. Heard Mr. Bachan Jee Ojha, learned counsel for the petitioner and Mr. Madan Kumar, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner who is in custody seeks bail in connection with Aurangabad Muffasil PS Case No.114 of 2022 dated 11.04.2022 instituted under Sections 411, 120-B of the Indian Penal Code and Sections 25 (1-B) (a), 26 of the Arms Act.

4. The allegation against the petitioner is that he had confessed to his involvement in the present case upon being arrested in another case i.e., Rafiganj P.S. Case No. 110 of 2022



dated 31.03.2022 for offence punishable under Sections 392/395 of the Indian Penal Code.

5. Learned counsel for the petitioner submitted that the petitioner only on the basis of such confessional statement in which he is said to have named Sunil Chandravanshi @ Sadhu from whose possession Rs. 36,500/-, countrymade pistol, one cartridge and one motor cycle was seized, has been made accused in the present case also and is in custody since 31.03.2022. Learned counsel further submitted that the recovery was not from the possession or house of the petitioner but that from the other co-accused.

6. Learned APP submitted that on the basis of the confessional statement of the petitioner there have been recovery of Rs. 36,500/-, one passion motorcycle, one countrymade pistol and a cartridge from the co-accused. It was submitted that the said motorcycle was used in a Bank robbery and recovery of the money from co-accused on the basis of the statement of the petitioner clearly proves his complicity.

7. Having considered the submissions of learned counsel for the parties and taking into account the recovery of a motorcycle from the co-accused which was used in Bank robbery



as also cash and countrymade pistol and cartridge, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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