

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13489 of 2023

Arising Out of PS. Case No.-716 Year-2022 Thana- AGAMKUAN District- Patna

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AJIT KUMAR @ AJIT KUMAR YADAV S/O LATE RAMESH RAI
Resident of Village- Hinduni, P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-07-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
18.09.2022 in connection with Agamkuan P.S. Case
No.716/2022, dated 16.09.2022, for the offences punishable
under Sections 420, 379, 411 and 34 of the IPC.

3. According to prosecution case, Rs. 20,40,000/- has
been recovered from the house of the petitioner, which is said to
be belonged to informant, which was looted away by the
petitioner along with other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence. He further submits that the recovered amount is not looted amount and the same belongs to the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 18.09.2022.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and the looted amount has been recovered from the house of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, after framing of charge, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Patna City, Patna in connection with Agamkuan P.S. Case No.716/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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