

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14769 of 2023

Arising Out of PS. Case No.-259 Year-2021 Thana- MUFFASIL District- Aurangabad

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Aditya Kumar S/O Ajay Singh @ Ajay Kumar Singh R/V- Samsara, P.S.- Pai
Bigha, District- Gaya (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Leelawati Kumari

For the Opposite Party/s : Mr. Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 29-05-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Aurangabad Mufassil P. S. Case No. 259 of 2021,

registered for the offences punishable under Sections 144,

224, 225, 307, 323, 332, 333, 337, 338, 341, 353, 354,

427, 504 and 506 of the Indian Penal Code.

The prosecution case as emerges from the FIR is



that the informant, namely, Vikramaditya Pal, gave his written statement before the SHO, Aurangabad Muffasil Police Station that on 15.10.2021 at about 12.30 P.M., the juveniles of the Observation Home, Aurangabad became agitative against the official and wanted to see government officials for redressal of their problem.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. She further submits that the alleged incident has occurred in the Observation Home, where the inmates of the Observation Home become agitative because they wanted to meet the officials to raise some grievance. She also submits that the allegation is exaggerated and as per the injury report, the alleged injury is simple in nature and the petitioner was minor at the time of alleged incident, because he was lodged in the Observation Home, which clearly shows that he was minor. However, police has shown his age as 20 years, which is not possible.



It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in one more case.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Mufassil P. S. Case No. 259 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hamper on account of his



absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the



certified copy of this order only after removal of office
objections.

(Jitendra Kumar, J)

skm/-

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