

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43535 of 2023**

Arising Out of PS. Case No.-88 Year-2023 Thana- MITHANPURA District- Muzaffarpur

AJAY PASWAN SON OF BALDEO PASWAN VILL NAZIRPUR PS
AHYAPUR DIST MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 27-07-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Mithanpura P.S. Case No. 88 of 2023 dated 1.3.2023 registered for the offence punishable u/s 399, 402, 411 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.
4. As per the prosecution case, some miscreants holding weapons were making preparation to commit robbery. On seeing the police, miscreants started fleeing away but two



miscreants were apprehended who disclosed their names as Mantu Lal Gupta and Abhishek Arya and also disclosed the name of the petitioner and one Prem Kumar. The petitioner became successful in fleeing away from the place of occurrence. The police recovered one loaded country made pistol, one live cartridge, mobile phone and a golden chain from the co-accused Mantu Lal Gupta.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. No TIP has been conducted by the prosecution. Learned counsel has further submitted that the name of the petitioner was disclosed by the co-accused persons. The petitioner is accused in 5 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 15.4.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur (East) in connection with Mithanpura P.S. Case No. 88 of 2023 with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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