

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49060 of 2023**

Arising Out of PS. Case No.-415 Year-2021 Thana- BUDDHACOLONY District- Patna

AJIT KUMAR @ AJIT PRASAD Son of Ajay Prasad @ Kashi Resident of
Mohalla-Jalla Road (Maliya Mahadev), P.S.-Alamganj, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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

ORAL ORDER

- 2 16-08-2023
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 Budha Colony P.S. Case No. 415 of 2021 dated 09.11.2021 registered for the offences punishable u/ss 302, 120B read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.
 4. As per the prosecution case, the informant's brother was murdered by causing fire-arm injury to him and the informant suspected and claimed that in the murder of his brother the owner and manager of Utsav Bharat Gas Agency



were involved and the alleged occurrence was done by the said co-accused with the help of three unknown persons who happen to be friends of the co-accused Sonu Kumar.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner surfaced on the basis of confessional statement of the co-accused Sonu Kumar. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 30.08.2022 passed in Cr. Misc. No. 32048 of 2022. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 13.12.2022.

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, Patna in connection with Budha Colony P.S. Case No. 415 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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