

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48673 of 2022

Arising Out of PS. Case No.-213 Year-2014 Thana- KARPI District- Jehanabad

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Ajay Yadav @ Ajay Singh Son Of Dwarika Singh Resident Of Village -
Mahuabagh, P.S.- Karpi, Distt.- Arwal (Jehanabad.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Anita Kumari Singh, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-03-2023 Heard Ms. Anita Kumari Singh, learned counsel

appearing on behalf of the petitioner and Ms. Asha Devi,

learned APP appearing on behalf of State.

2. The petitioner apprehends his arrest in connection
with Karpi P.S. Case No. 213 of 2014 registered under Section
302/34 of the Indian Penal Code read with Section 27 of the
Arms Act.

3. The prosecution story, in brief, is that accused
persons named in the F.I.R. including the petitioner had caught
hold the father of the informant and co-accused Ravi Kumar,
Mahendra Yadav and Munna Kumar fired shot by gun, as a
result of which, the father of the informant died on the spot.

4. Learned counsel appearing on behalf of the
petitioner submitted that no specific allegation has been made



against the petitioner. The petitioner at the best can be held to be member of mob and was present at the place of occurrence where the alleged murder of the father of the informant took place. Learned counsel further submitted that the investigating officer has submitted that charge-sheet against co-accused Ravi Kumar, Mahendra Yadav and Munna Kumar and in absence of any evidence collected in course of investigation against the petitioner, the Investigating Officer of the case has found the allegation to be false against the petitioner. It is further submitted that petitioner has clean antecedent and there is no chance of tampering with the evidence.

5. Learned APP has vehemently opposed the grant of anticipatory bail to the petitioner.

6. Having heard the rival submissions of the parties and materials on records, in want of any evidence collected against the petitioner in course of investigation, it appears to this Court that the petitioner has made out a prima facie case to be released on anticipatory bail.

7. Court below is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Ten thousand)



with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Arwal in connection with Karpi P.S. Case No. 213 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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