

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51536 of 2023

Arising Out of PS. Case No.-182 Year-2021 Thana- RAMGARHWA District- East
Champaran

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AJAY KUMAR SINGH @ AKHILESH SINGH @ AJAY KUMAR S/O
CHANDRADEO SINGH R/O VILLAGE- MANGALPUR PATNI (WARD
NO. 7), P.S- RAMGARHWA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Ramgarhwa P.S. Case No.182 of 2021 registered for the offences punishable under Sections 147, 148, 341, 323, 342, 324, 307, 379, 427, 447 and 504 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that on the order of co-accused Chandradeo Singh, he had assaulted the informant by farsa on his head with an intention to kill him due to which the informant received head injury.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that after investigation police had submitted final form in favour of the petitioner as no material was found against him.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein this Court finds that after investigation police had submitted final form in favour of the petitioner as no material was found against him but the learned Magistrate differed with police report and has taken cognizance and summoned the petitioner, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari in connection with Ramgarhwa P.S. Case No. 182/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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