

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52652 of 2023

Arising Out of PS. Case No.-110 Year-2018 Thana- SAMASTIPUR District- Samastipur

Ajit Kumar S/O Ganga Prasad Ray R/O Village- Chandchaur, P.S- Ujiyarpur,
Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-10-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 379, 511 of the Indian Penal Code and subsequently Sections 411 and 414 of the I.P.C. has been added.

3. As per prosecution case, when the informant came back from the market he saw that two persons are trying to start his motorcycle. On seeing the informant both miscreants tried to run away but one of the miscreant was caught who disclosed his name as Mithlesh Kumar and further he disclosed the name of the person who escaped as Md. Sajjad and two motorcycles keys were recovered from the co-accused Akhilesh Kumar.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this case. The petitioner is not named in the F.I.R. rather his name has been transpired during course of investigation on the basis of confessional statement of co-accused Mithlesh Kumar. Neither the petitioner was arrested on the spot nor any incriminating or looted article has been recovered from his conscious possession. It is also submitted vide para 3 and 4 of the supplementary affidavit that the vehicle in question has been recovered in connection with Samastipur Town P.S. Case No. 12 of 2018 and not in connection with the present case. Petitioner is languishing in judicial custody since 19.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Samastipur in connection with Samastipur Town P.S. Case No. 110 of 2018.

(Sunil Kumar Panwar, J)

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