

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58622 of 2023

Arising Out of PS. Case No.-309 Year-2022 Thana- NASRIGANJ District- Rohtas

Ajit Singh @ Ajit Kumar Son Of Birendra Singh Resident Of Village- Itimha,
P.S.- Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 04.03.2023, in connection with Nasriganj P.S. Case No. 309 of 2022, F.I.R. dated 21.12.2022 registered for the offences punishable under Sections 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he has committed the murder to the deceased.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that as per allegation in the F.I.R. that the petitioner has committed murder to the deceased but it has come during investigation in paragraph-26 of the case



diary that the petitioner had given the firearm to the deceased and the deceased has shot fire himself and he has committed suicide. He further submits that the police after investigation submitted chargesheet under Section 306 of the Indian Penal Code against the petitioner and the petitioner is in custody since 04.03.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and there is direct allegation against the petitioner and apart from the aforesaid the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in pending case.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 309 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

(Rajesh Kumar Verma, J)

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