

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65011 of 2023

Arising Out of PS. Case No.-347 Year-2023 Thana- MAHUA District- Vaishali

=====

Ajay Kumar @ Ajay Rai Son Of Rampratap Rai R/O Vill - Muhamadpur
Narangi @ Ababkarpur, P.S. - Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Mahua P.S. Case No. 347 of 2023 dated 10.06.2023, instituted for the offence punishable under Sections 341, 323, 324, 325, 307, 354, 302, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case in short, is that on 19.05.2023 at about 07:15 am, when the informant was at her home with other family members then the accused person came there and at the behest of Ravindra Singh attacked them with iron rod, sticks etc. due to which the father of the informant sustained head injury and his brother was also beaten up in the attack. When the informant fell on the ground, then the petitioner and another person pulled her leg, due to which she became uncomfortable.



During the course of treatment, the father of the informant died on 08.06.2023.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that informant firstly file a complaint case bearing Complaint Case No. 1306 of 2023 against seven persons in which the petitioner has not been made accused. It is further submitted that a counter case bearing Mahua P.S. Case No. 354 of 2023 has been lodged by one the co-accused namely Suraj Devi, in which the informant along with others have been made accused. It is further submitted that there is no allegation of assault against the petitioner. Lastly, it has been submitted that the petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Mahua P.S. Case No. 347 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

