

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9627 of 2024

Arising Out of PS. Case No.-496 Year-2022 Thana- DELHA District- Gaya

Aazad @ Azat Kumar @ Azad kumar Son of Late Sunil Prasad R/o vill -
Powerganj, Kumhar Toli, P.S. - Delha, Distt. - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Delha P.S. Case no.496 of 2022 registered under sections 307, 379, 147, 148, 149, 341, 323, 324, 326, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that on the date and time of occurrence, he as also other residents of his mohalla namely Sujit Kumar, Dharmendra Kumar and Santosh Kumar were fired upon and looted. Rs.1250/ was taken away from Sangram Singh and similar different articles from different persons as given in detail in the F.I.R. It is further stated that seven of the accused were identified as named in the F.I.R. which included the petitioner



herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated for oblique reasons. From perusal of the contents of the F.I.R., it would be evident that no details of any occurrence has been given. The petitioner's case stands on a similar footing to that of Aman Paswan and Bunty Kumar who have been enlarged on bail vide order dated 25.5.2023 and 27.7.2023 passed in Cr. Misc. no.29121 of 2023 and Cr. Misc. no.43935 of 2023 respectively. The petitioner is in custody since 9.1.2023 and investigation in the case has concluded. Learned counsel for the petitioner further submits that a typographical error had occurred in paragraph no.11 along with annexures to the petition which has already been deleted by the learned counsel and the same should not be read as part of the petition.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., as against the petitioner being general and omnibus in nature, the petitioner having remained in custody since 9.1.2023 and grant of bail to the above F.I.R. named co-accused vide orders dated 25.5.2023 and 27.7.2023, the Court directs the petitioner to be



enlarged on bail in connection with Delha P.S. Case no.496 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Gaya.

(Partha Sarthy, J)

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