

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8839 of 2024

Arising Out of PS. Case No.-607 Year-2023 Thana- AHYAPUR District- Muzaffarpur

Ajit Kumar, Aged about 29 years, Male, Son of Chandeshwar Chaudhary,
Resident of Village-Govindpur, Bela, P.S.-Baligaon, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Ajay Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Ajay Kumar Jha,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ahiyapur P.S. Case No. 607 of 2023 dated 19.05.2023,
registered for the offence punishable under Sections 344, 342,
323, 420, 386 and 120-B of the Indian Penal Code.

3. As per the allegation made in the FIR, the
informant had deposited Rs. 21,500/- in a company where the
petitioner is employee but he did not return the money to the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the money as claimed by the informant
has already been returned and similarly situated co-accused



persons, namely, Manish Kumar and Md. Irfaan, who are the directors of the said company, have already been released on pre-arrest bail by a co-ordinate Bench of this Court vide order dated 16.10.2023 passed in Criminal Miscellaneous No. 64313 of 2023. Petitioner being salesman, has no role in the alleged duping of money. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, as well as, the fact that similarly situated co-accused persons, namely, Manish Kumar and Md. Irfaan, who are the directors of the said company, have already been released on pre-arrest bail by a co-ordinate Bench of this Court vide order dated 16.10.2023 passed in Criminal Miscellaneous No. 64313 of 2023. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 607 of 2023 dated 19.05.2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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