

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37097 of 2024

Arising Out of PS. Case No.-1518 Year-2023 Thana- DANAPUR District- Patna

Ajay Kumar @ Bilai Gope, Male, aged about 43 years, Son of Late Dwarika Prasad, Resident of Janakdhari Lal Road, Bhathi, P.S.- Danapur, Patna, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Archana Sinha, Advocate
For the Opposite Party : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 15-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Danapur P.S. Case No. 1518 of 2023 dated 04.12.2023 registered for the offences punishable under Sections 379, 414, 411 of the I.P.C. and Sections 25(1-b)a and 26 of the Arms Act.

3. As per the prosecution case, police apprehended the petitioner and on search, one loaded country made pistol alongwith one live cartridge, one live cartridge and one motorcycle were recovered from his possession.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the date of occurrence in



the F.I.R. was mentioned as 04.10.2023 but later on the same was corrected as 04.12.2023. It is further submitted that the real fact is that the alleged motorcycle was recovered by the side of the road and not from the house of the petitioner. The petitioner is working as a compounder with the doctor at Bihta, Patna and the angry police has arrested the petitioner from his house without any allegation and any charge. The petitioner is the only bread earner of his family and due to the village politics, he has been made accused in the present case by the *Mukhiya* and the *Sarpanch*. The petitioner has eleven criminal antecedents and in nine cases, he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 05.12.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, let the above named petitioner, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1, Danapur in connection with Danapur P.S. Case No. 1518 of 2023 with further condition:-



(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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