

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39586 of 2024

Arising Out of PS. Case No.-427 Year-2022 Thana- AMAS District- Gaya

Ajit Kumar Son of Late Kaldev Yadav Resident of Village - Baital, P.S.-
Roushanganj, District - Gaya, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 06-09-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Amas P.S. Case No. 427 of 2022 registered under Sections 386, 387 and 34 of the Indian Penal Code lodged on 21.10.2022 by the informant, Raushan Kumar Gupta.

3. As per the prosecution story, the allegation is that the informant who runs a firm alleged that the accused persons came and after torturing the labours and taking their respective mobiles (five), demanded Rs. I lakh or to face the consequence. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement of Guddu Kumar but despite him being in custody since 12.02.2024 (paragraph-1 of the petition), no T.I. parade conducted till the filing of the



present petition. The further submission is that some of the similar place co-accused, namely, Kamlesh Yadav, Nitish Kumar @ Ajay Prasad and Munna Kumar @ Pawan Kumar have been released on bail by a co-ordinate Bench of this Court.

5. Learned APP opposes the prayer for bail submitting that he also has made confession.

6. Though there is a case against him, the fact remains that there is no recovery from his possession nor the T.I. parade has been conducted. Further, the petitioner do not criminal antecedent and he is in custody since 12.02.2024 (para 1 to the petition), some of the accused persons, as stated above have been granted bail, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati, District- Gaya in connection with Amas P.S. Case No. 427 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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

