

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47866 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- KESARIA District- East Champaran

Ajay Kumar @ Ajay Malli S/o- Rajesh Mali Village- Kesariya kadam chak,
Ps- Kesariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

Mr. Hemant Ray, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kesariya P.S. Case No. 124 of 2024 dated 23.04.2024 registered for the offences punishable under Sections 399, 402, 413, 414 and 34 of the Indian Penal Code and under Section 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, a mobile phone was recovered from the possession of the petitioner when he along with other co-accused persons was gathered for making preparation to commit crime.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the



petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 23.04.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner. It is further submitted that a mobile phone was recovered from the possession of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kesariya P.S. Case No. 124 of 2024, with a condition :-

(i) That 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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