

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61432 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- KALYANPUR District- East Champaran

Ajit Kumar @ Ajit Kushwaha Son of Rajesh Kushwaha @ Rajesh Prasad
R/V- Village- Gariba, P.S.- Kalyanpur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 399, 402, 467, 468, 471 and 120(B) of the I.P.C. read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been lodged against ten named accused persons including the present petitioner. It transpires from the F.I.R. that five accused persons have been recovered, whereas rest accused persons fled away. The petitioner is the accused who has not been apprehended and alleged to be fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further

submits that it is true that in the F.I.R., the name of the petitioner has figured, but it is also true that nothing has been recovered from his possession and his antecedent is also clean. He further submits that the petitioner’s name has been disclosed by the apprehended accused persons.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances of the case and considering the clean antecedent, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Chief Judicial Magistrate, Motihari, East Champaran, in connection with Kalyanpur P.S. Case No. 294 of 2023, dated 21.08.2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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