

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63900 of 2024

Arising Out of PS. Case No.-259 Year-2020 Thana- UDAKISHUNGANJ District-
Madhepura

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Ajeet Kumar @ Ajeet Mehta @ Ajeet Kumar Mehta Son of Brahmddeo Mehta
@ Brahmddev Mehta R/o Village- Rambag, Kishunganj, P.S.- Udakishunganj,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2024

Heard the parties.

2. The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 259 of 2020 registered for
the offence under Sections 302, 34, 120(B) of the I.P.C.
and Section 27 of Arms Act.

3. The petitioner is named in the F.I.R. and is
in custody since .22.12.2023.

4. The allegation against the petitioner is to
commit murder of brother-in-law (devar) of informant by
causing fire arm injury, where occurrence is alleged to
be arises out of previous enmity.

5. Learned counsel appearing on behalf of the



petitioner submitted that informant is not the eye witness of the occurrence and merely on the basis of suspicion arising out of previous threat and enmity, petitioner was implicated in present case. It is further submitted that out of suspicion, nothing incriminating material recovered/surfaced during the course of investigation which may connect petitioner prima-facie with present occurrence of murder. The petitioner was not put on T.I. While concluding the argument, it is submitted that petitioner is found involved in seven criminal cases where he is on bail in four cases and in maximum of cases, his name surfaced on the basis of confessional statement or on the basis of suspicion as of the present case having otherwise no evidencery value and moreover, investigation of this case is completed long back, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.



7. In view of aforesaid facts and circumstances and by taking note of fact as save and except suspicion arising out of previous threat, nothing incriminating material recovered/surfaced during the course of investigation as to connect petitioner prima-facie with present occurrence of murder, who is in custody since 22.12.2023, accordingly petitioner above named, is directed to be released on bail in connection with Udakishunganj P.S. Case No. 259 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Madhepura/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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