

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73220 of 2024

Arising Out of PS. Case No.-913 Year-2023 Thana- RUPASPUR District- Patna

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Ajay Kumar @ Nirahua, Son of Subhash Paswan, Male, aged about 21 years,
R/O Village -Bisarpur Dhobiakalanpur, P.S. -Naubatpur, Distt -Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sameer Kumar, Advocate

For the Opposite Party : Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rupaspur P.S. Case No. 913 of 2023 dated 11.11.2023 registered for the offences punishable under Sections 302, 120B/34 of the I.P.C. and Section 27 of the Arms Act. Later on, Sections 25(1b) a, 26 and 35 of the Arms Act were also added.

3. As per the prosecution case, six unknown miscreants boarded on two motorcycles made indiscriminate firing on the vehicle resulting injury to the informant's son, Alok Kumar. The informant rushed to the hospital, where the informant's son was



declared dead.

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 petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of the confessional statement of the co-accused which has got no evidentiary value in the eye of law. There is general and omnibus allegation against the petitioner. He has no concern with the alleged offence. No T.I. Parade has been conducted. No incriminating article has been recovered from his possession. The other co-accused, Priyanka Kumari, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 35457 of 20243 under order dated 11.07.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 14.11.2023.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 C.J.M., Danapur, in connection with Rupaspur P.S.



Case No. 913 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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