

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76747 of 2024

Arising Out of PS. Case No.-332 Year-2024 Thana- DANAPUR District- Patna

Ajay Kumar @ Sugriv Son of Birendra Rajak Resident of Village - Chhoti
Machhuatoli Ward No.-3, P.S. - Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-10-2024

Heard the parties.

2. The petitioner is in custody in connection with
Danapur P.S. Case No. 332 of 2024 for the offence punishable
under sections 25(1-B)a, 26 and 35 of Arms Act lodged on
07.04.2024 by the informant, Praan Mohan Singh.

3. As per the prosecution story, the informant alleged
that when the police went near the place, found the accused
persons trying to escape. Three persons were apprehended, gave
their names as Govind Kumar, Suchit Kumar and Ajay Kumar
@Sugriv (the petitioner herein) as also the name of the person who
escaped as Rahul Kumar. Further, upon search from Govind
Kumar, loaded country made revolver and mobile, from Ajay
Kumar @Sugriv, another loaded country made revolver and from
Suchit Kumar, a live cartridge were recovered/seized. Accordingly,
the FIR.

4. It is the case of the petitioner that only on the basis of
criminal antecedent, this story has been put forward by the police,



he is already suffering in connection with Danapur P.S. Case No. 318 of 2024. It is the further undertaking on behalf of the petitioner that if granted relief, he shall visit the Danapur Police Station and clean its campus for seven consecutive days, at the end of which he will plant a sapling in the campus and the video footage will be provided by way of Pen Drive to the Court.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent and does not deserve bail.

6. Allegation is there, he is already in custody in connection with other case, is a young person, has undertaken to diligently appear in trial, this Court is inclined to extend him the privilege of bail with conditions subject to the undertaking it has been given by the learned counsel on his behalf that he shall be visiting Danapur Police Station and will clean its campus for seven consecutive days and will plant a sapling in the campus and the video footage will be provided by way of Pen Drive to the Court.

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 Additional chief Judicial Magistrate-1, Danapur district- Patna in connection with Danapur P.S. Case No. 332 of 2024 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 fortnight 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.

8. List this case under the heading 'To Be Mentioned' on 02.12.2024 to go through the compliance report to be submitted by the learned counsel for the petitioner.

(Rajiv Roy, J)

Vijay Singh/-

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