

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77584 of 2024

Arising Out of PS. Case No.-318 Year-2024 Thana- DANAPUR District- Patna

Ajay Kumar @ Sugriv S/O Birendra Rajak R/O Mohalla- Chhoti Machhuatoli, Ward No.- 3, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-11-2024 Heard the parties.

2. The petitioner is in custody in connection with Danapur P.S. Case No. 318 of 2024 for the offence punishable under sections 341, 307, 195A, 120B, 506 and 34 of the Indian Penal Code and 27 of the Arms Act lodged on 01.04.2024 by the informant, Binod Rai.

3. As per the prosecution story, the informant alleged that as he was sleeping in his office, Rahul Kumar alongwith other accused came and Rahul Kumar opened fire causing injury. Rahul Kumar was again loading another cartridge when an alarm was raised whereafter, they escaped. This led to the FIR.

4. Learned counsel for the petitioner submits that he is not named in the FIR, specific allegation is against Rahul



Kumar, one of the accomplice, Rohan Kumar was arrested and on his confession, the petitioner name has come. Further, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that his name has come in the confessional statement.

6. Considering the submissions put forwarded by the parties as also the fact that he has remained in custody since 15.05.2024 (para-4 of the petition) and an undertaking has been given that he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of bail with conditions.

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/concerned Court, in connection with Danapur P.S. Case No. 318 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.

(Rajiv Roy, J)

Adnan/-

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