

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84580 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- SONO District- Jamui

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Ajay Das @ Ajay Kumar, Male, aged about 23 years, Son Of Girdhari Das,
Resident of Village- Raksha Pahari Bharatpur, P.O.- Paira Matihana, P.S.-
Sono, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-03-2024 Heard Mr. Pankaj Kumar Sinha, learned counsel

appearing on behalf of the petitioner and Mr. Rajiv Nayan,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sono P.S. Case No. 225 of 2023, registered for the offence
punishable under Section 392 of the Indian Penal Code.

3. As per the allegation made in the FIR, some
unknown miscreants had snatched Rs. 1,86,373/- from the
informant on the point of pistol, while he was returning after
making collection from the customers.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. FIR is against unknown.



Name of the petitioner has surfaced on the basis of confessional statement made by co-accused Bipin Kumar Mandal during course of investigation in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR, which is against unknown and name of the petitioner has surfaced on the basis of confessional statement made by co-accused Bipin Kumar Mandal in course of investigation in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class,



Jamui, in connection with Sono P.S. Case No. 225 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Niraj/-

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