

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1780 of 2024

Arising Out of PS. Case No.-493 Year-2022 Thana- RAJIVNAGAR District- Patna

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Ajay Kumar @ Ajay Yadav S/O Late Ram Udeshya Ray @ Ram Udes Ray
Mohalla- Digha Akhara Road, Ps. Digha, Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Raj Krishna Jha, Advocate
For the State : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 467, 468, 470, 471, 120B and 34 of the Indian Penal Code and Section 3 of the Damage of Property Act.

3. As per prosecution case, the police apprehended seven persons who were illegally constructing house over the land of the Bihar Housing Board. One of them disclosed the name of this petitioner as owner of the land.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has been made an accused in this case only on the basis of confessional statement of co-accused persons who were apprehended at the spot, on the allegation that this petitioner was the owner of the land. Except



confessional statement, there is no other material on record to connect the petitioner with the alleged incident. Petitioner being supplier of material used to visit site and only on suspicion he has been made an accused in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Patna, in connection with Rajiv Nagar P.S. Case No.493 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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