

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.509 of 2025

Arising Out of PS. Case No.-109 Year-2020 Thana- FATEHPUR District- Gaya

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Ajit Kumar @ Ajeet Kumar Son of Anil yadav Resident of vill.-
Kathadih,P.S.- Fatehpur,Dist.- Gaya, Pin- 824232

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anmol Kumar, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-01-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Fatehpur P.S. Case No. 109/2020 registered on 02.06.2020 for the offences punishable under Sections 109, 147, 148, 149, 332, 337, 353, 153A, 395, 395A, 297, 427, 186, 188, 269, 270, 504, 506 of the Indian Penal Code and Section of the Prevention of Damage to Public Property Act, 1984 and subsequently, vide order dated 03.06.2020 Sectioni 307 of the I.P.C. was also added.

3. As per the prosecution, the present F.I.R. has been lodged based on a written report submitted by the informant, stating that on 01.06.2020, the S.H.O. of Fatehpur Police Station informed that three people had been injured in a motorcycle



accident in village Agra. Upon receiving the information, the informant, along with other police personnel, reached the scene and found that the driver of the motorcycle, Rahul Kumar, had died. The family members, along with others, were making noise, causing a large crowd to assemble, and they were targeting the houses of a particular community. Upon receiving this information, the police attempted to disperse the crowd, but they did not listen and prevented the police from sending the dead body for postmortem. It is further alleged that the F.I.R. named accused persons along with a large crowd of approximately 600 people, surrounded the police force, pelted stones at the police personnel, damaged some police and private vehicles, and intimidated the police force.

4. It is submitted by learned counsel for the petitioner that the petitioner has committed no offense. In fact, the petitioner is a student, and his name has appeared in this case at the behest of the police, as he was passing through the road at the time of the alleged occurrence. There is no specific allegation against the petitioner; rather, the allegation is omnibus and general. He further submits that the co-accused person has been granted bail by a co-ordinate Bench of this Court vide order dated 08.06.2022, passed in Criminal



Miscellaneous No. 33185 of 2021. The antecedents of the petitioner are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-X, Gaya, in connection with Fatehpur P.S. Case No. 109/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions :-

1. The petitioner shall cooperate in the trial, be properly represented on each and every date fixed by the Court, and remain physically present as directed by the Court. If the petitioner is absent on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Trial Court.

2. If the petitioner tampers with the evidence or witnesses, the prosecution shall be at liberty to move for the cancellation of bail.

3. Furthermore, the Court below shall verify the criminal antecedents of the petitioner. If, at any stage, it is found



that the petitioner has concealed their criminal antecedents, the Court below shall take steps to cancel the petitioner’s bail bond. However, the acceptance of bail bonds in accordance with the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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