

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17707 of 2025

Arising Out of PS. Case No.-144 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Ajay Jaiswal @ Ajay Jaishwal @ Ajay Kumar Jaiswal S/o Late Rajendra Prasad Resident of Village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-07-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 342, 302, 323 and 504 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that Timan Mian called him at petrol pump where other accused along with the petitioner were present from before and they took him forcefully to the Litchi orchard and alleged that they committed theft of Litchi and thus, was assaulted and compensation of Rs.80,000/- was demanded.



Further, on 02.06.2022, his father went to market when he was intercepted by the accused persons including the petitioner and was assaulted. Further, Dinanath Sah and Timan Mian assaulted him by an iron rod behind his back leading to his death. Further, the occurrence took place since informant did not pay Rs.32,000/- on 02.06.2022 by way of instalment as agreed.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that no specific allegation of assault is alleged. It is also submitted that from the post mortem, Annexure-2, it would manifest that the same records that no external or internal injury found and the viscera was preserved. It is further submitted that even viscera report does not record that death was on account of poisoning. It is thus submitted that had the accused persons including the petitioner assaulted the father of the informant in the manner as alleged, then definitely external or internal injury would have been found.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pakaridayal P. S. Case No.144 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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