

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25274 of 2025

Arising Out of PS. Case No.-883 Year-2024 Thana- WAJIRGANJ District- Gaya

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Ajay Kumar @ Ajay Yadav Son of Tula Yadav RO Village- Bhojpur Tola
Mohanpur PS- Wazirganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-04-2025 Heard Mr. Sudhir Kumar Singh, learned counsel for

the petitioner and Mr. Zainul Abedin, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Wazirganj P.S. Case No. 883 of 2024, F.I.R. dated 20.11.2024 for the offences punishable under Sections 191(2), 191(3), 190, 126, 115(2), 118, 117(2), 109, 352 and 74 of the Bhartiya Nyay Sanhita, 2023.

3. According to prosecution case, all accused persons including the petitioner assaulted the informant and his family members by means of various weapons.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that as per the allegation, the petitioner has assaulted the informant by means of iron rod on his head. Though, the informant has received injury but the injury report suggests that the injury is simple in nature caused by hard and blunt substance. Apart from that the co-accused person, namely, Tula Yadav has been granted privilege of anticipatory bail by the learned Court below itself.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent, injury inflicted upon the injured person is simple in nature and the co-accused person has been granted bail by the learned Court below, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-I, Gaya in connection with Wazirganj P.S. Case No. 883 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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