

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37684 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Ajay Ray @ Ajay Kumar S/O Late Parikshan Ray Village- Panapur, PS-
Kajipur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Adv
For the Informant	:	Mr. Santosh Kumar, Adv
For the Opposite Party/s	:	Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable u/s 279, 125, 103(1), 238
and 3(5) of the B.N.S.

3. As per the prosecution case, the informant has
stated that on 19.01.2025 in the night, her son, namely Ajit
Kumar had gone out to take meal at the house of co-accused
Suresh Rai. On 21.01.2025, in the morning, the informant
received news that Ajit Kumar was not there and despite hectic
search by the informant and the villagers, the informant's son
could not be traced.



4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and his name has surfaced in the confessional statement of the co-accused Sunil Paswan. It is further submitted that even if the confessional of the co-accused Sunil Paswan is taken into account, it is only said that they were all together and had left the deceased on the road side and fled away. It is next submitted that the petitioner was not even riding the motorcycle on which the deceased Ajit Kumar was there. Learned counsel has further submitted that there is no evidence to connect the petitioner with the aforesaid incident. It is also submitted that similarly situated co-accused person has already been granted bail by this Court vide order dated 20.05.2025 passed in Cr. Misc. No. 31856 of 2025. It is lastly submitted that the petitioner has two criminal antecedents.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner and has stated that the co-accused Sunil Paswan had confessed that the petitioner was present at the place of occurrence and left the deceased on the road-side and fled away.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that there is no specific



allegation levelled against the petitioner coupled with the fact that similarly situated co-accused person has already been granted bail, let the above named petitioner, in the event of his arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali, in connection with Hajipur Sadar P.S. Case No. 57 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner have concealed his criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned



*order shall not be delayed for purpose of the same
or in the name of verification.*

7. This application stands allowed.

(Sourendra Pandey, J)

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