

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43133 of 2025

Arising Out of PS. Case No.-38 Year-2023 Thana- BUXAR District- Buxar

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Ajit Kumar @ Ajeet Kumar S/O Late Ashok Kumar Incharge of Bihar State Seeds coporation, Buxar (At present in Judicial Custody) Resident of Village- Road No.-04, Rewa Road, Sir Ganesh Datt Nagar, Bhagwanpur, P.S.- Bhagwanpur (Sadar) , District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

6 26-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. Earlier the prayer for bail of the petitioner was rejected by this Court vide order dated 18.04.2024 passed in Cr. Misc. No.26774 of 2024.

3. Petitioner is in custody in a case registered for the offence punishable under Section 420, 406, 120B/34 of the Indian Penal Code.

4. As per the prosecution case, it is alleged that petitioner is involved in fraud selling and purchasing of land with the informant and others.

5. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. He next submits that earlier the prayer for Regular bail of the petitioner was rejected by this Court vide order dated 18.04.2024 passed in Cr. Misc. No.26774 of 2024 with an observation that 'however the Trial Court is directed to conclude the trial within a period of one year from the copy of the receipt of this order, if the trial is not concluded within the stipulated period then the petitioner would be at liberty to renew his prayer of bail before the Trial Court'. He further submits all offences are triable by the learned Magistrate. He next submits that petitioner is in custody since 06.12.2023 and has six criminal antecedent stated in para-3 of the bail petition.

6. Learned APP for the State opposes the prayer for Regular bail of the petitioner.

7. On perusal of the First Information Report, impugned order dated 26.05.2025 and report sent by learned Additional Chief Judicial Magistrate vide letter No. 32 dated 25.08.2025, it appears that learned A.C.J.M. has not framed charges as yet due to non appearance of other accused but it appears that learned Magistrate has not took proper step for appearance of the accused persons. So, considering the facts and circumstances of the case as well as the submissions made by



learned counsel for the petitioner and also the fact that earlier the prayer for Regular bail of the petitioner was rejected by this Court vide order dated 18.04.2024 passed in Cr. Misc. No.26774 of 2024 with an observation that ‘however the Trial Court is directed to conclude the trial within a period of one year from the copy of the receipt of this order, if the trial is not concluded within the stipulated period then the petitioner would be at liberty to renew his prayer of bail before the Trial Court’ and also the fact that petitioner is in custody since 06.12.2023, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Buxar in connection with Buxar (Town) P.S. Case No.38 of 2023 with a condition that petitioner shall furnish bail bonds after concluding the procedure of framing of charge and learned Magistrate is directed to conclude the procedure of framing of charge within a period of 15 days from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

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