

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50730 of 2025

Arising Out of PS. Case No.-188 Year-2024 Thana- AWTARNAGAR District- Saran

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Ajay Singh @ Ajay Kumar S/o- Wakil Singh , R/o Village- Kanshdiyar Ps-
Doriganj Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Awatar Nagar P.S. Case No.188 of 2024 registered for the offences punishable under Sections 310(4), 310(5) of the BNS and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. The police, on a tip-off that some persons are standing with country made pistol at NH-19 and indulged in extorting money from the vehicle passing by, rushed to the place of occurrence. However, noticing the police party, out of five persons, four of them succeeded in fleeing away and one person was apprehended, who disclosed his name as Vivek Kumar. In course of search, one country made pistol and two mobile phones were recovered from the possession of the apprehended



persons, who disclosed the name of four persons, including the petitioner.

4. Learned counsel for the petitioner submitted that only on account of the petitioner being known to the apprehended person, his name has been implicated in this case. The petitioner is a man of tender age of 21 years, having absolutely fair antecedent and has nothing to do with the alleged crime in question. The petitioner is neither owner of the recovered motorcycle nor any incriminating material has been surfaced, during investigation, suggesting his complicity in the crime. None of the person has made any complaint with regard to the involvement of the petitioner in extorting money to anyone and only based upon the confessional statement of apprehended person, his name has been implicated in this case, which is not admissible in the eyes of law, is the submission of the learned Advocate for the petitioner.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the name of the petitioner has been disclosed by the apprehended person from whose possession arms and other incriminating materials were recovered.

6. Regard being had to the submissions made on



behalf of the parties and taking note of the fact that save and except confessional statement, there is no material, besides the tender age of the petitioner and his fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Awatar Nagar P.S. Case No.188 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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