

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71340 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Ajit Kumar Choudhary @ Ajit Kumar, Son of Sh. Ashok Kumar Choudhary
Resident of Village - Mathurapur, Ward No.- 3, P.O.- Ashinchak, P.S.-
Dalsingsarai, District - Samastipur (Bihar) 848114.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aaruni Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Dalsingsarai P.S. Case No. 23 of 2025 dated 21.01.20255,
instituted for the offence punishable under Sections 309(4), 310(2)
of Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that one Tempo was
hired by unknown miscreants and it is alleged that after taking the
tempo to a secluded place, the accused persons looted the tempo,
Rs. 800/- cash and a mobile phone of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Learned counsel for the petitioner further submits that the
name of the petitioner has surfaced on the basis of CDR. The



police raided the house of the petitioner and arrested him and on his confession, the other accused persons have been made accused in this case. On the basis of confessional statement of the petitioner, the engine of the tempo was seized near the house of co-accused Dharmendra. It is further submitted that similarly situated co-accused namely, Deepak Kumar and Ayush Kumar @ Ayush Kumar @ Ayush Kumar Jha @ Anshu Kumar have been granted regular bail *vide* order dated 24.09.2025 and 12.08.2025 passed by different co-ordinate Benches of this Court in Criminal Miscellaneous No. 68275 of 2025 & 54443 of 2025 respectively. Lastly, it has been submitted that the petitioner is in custody since 13.02.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Dalsingsarai, in Dalsinghsarai P.S. Case No. 23 of 2025, as well as the following conditions:-

1. Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till the framing of charge in the trial



court.

(Khatim Reza, J)

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