

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38417 of 2014

Arising Out of PS.Case No. -409 Year- 2006 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Ranvir Singh @ Ranbir Singh Son of Janardan Prasad Singh Resident of
Village - Chandpura, P.S. Neema Chandpura, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Madan Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

7 19-05-2015 Heard Mr. Sinha learned Sr. Counsel for the petitioner
and learned APP for the State.

The petitioner seeks bail in Begusarai Town P.S. Case
No. 409 of 2006 instituted under section 302/34 IPC.

The brother of the informant had taken cash amount
from the informant for purchase of a vehicle. It is alleged that
thereafter he went to Begusari but did not return. In the following
morning, the dead-body of the deceased was found deserted near
the hotel of Mahavir Poddar. The police interrogated Mahavir
Poddar and his brother who named the petitioner as Ranvir Singh
@ Ranbir Singh who had come along with the deceased on the
relevant night and after consuming wine the petitioner shot down
the deceased. Similar statement has been made by the brother of
Mahavir Poddar.

Learned counsel for the petitioner submits that it is a
case of mistaken identity. The petitioner was apprehended in
connection with a case under section 27 of the Arms Act and

remanded in this case on 3.10.2013. In the statement of Dilip Poddar recorded under section 164 Cr. P.C. he has named the accused as Randhir.

Learned APP, on the other hand, placed the statement recorded under section 161 Cr. P.C. of Mahavir Poddar and Dilip Poddar wherein both of them have stated that Ranvir Singh @ Ranbir Singh resident of village Chandpura had murdered the deceased by gunshot. The witnesses have also narrated the circumstances which provided them an opportunity to know the name of the petitioner.

Regard being had to above, this Court is not inclined to grant bail to the petitioner. His prayer for bail is accordingly rejected.

In view of incarceration of the of the petitioner for the last one year, this Court grants the petitioner liberty to renew his prayer for bail if the trial does not record adequate progress within nine months from the date of receipt/production of a copy of this order in the court below.

(Kishore Kumar Mandal, J)

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