

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6559 of 2014

Arising Out of PS.Case No. -137 Year- 2006 Thana -RAJAUN District- BANKA

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Ranbir Roy, S/o Late Satya Narayan Roy, Resident of Village- Bade Hasanpur, P.S- Jagdishpur, District- Bhagalpur.

.... Petitioner

Versus

1. The State Of Bihar
2. Mithlesh Kumar Jha, S/o Late Upendra Jha, R/o- Singhan, P.S. Rajaun, Distt- Banka

.... Opposite Parties

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Appearance :

For the Petitioner : Shri Rajendra Narain, Sr. Adv.
Dr. Manoj Kumar, Adv.
Shri Samir Kumar Singh, Adv.

For the Opposite Parties : Shri Raj Kishor Singh (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

6 20-01-2015 This application is filed for regular bail. The petitioner is accused of committing an offence punishable under Sections-302/34 of I.P.C.

There were six accused in the case. At one stage, the petitioner was granted anticipatory bail by this Court. However, on certain complaints that he committed some crimes after anticipatory bail, the same was cancelled and, accordingly, he surrendered in December, 2012 and thereafter filed this application for regular bail.

Heard learned counsel for the petitioner and for the State.



The accusation against the petitioner is, no doubt, serious. The fact, however, remains that the case in relation to two of the accused was separated and they are tried in S.T. No.654/07 by the Court of Additional Sessions Judge, F.T.C.-1, Banka. The trial court convicted them through its judgment dated 10.7.2009. Further, this Court in Criminal Appeal No.687/09 and 737/09 acquitted them through judgment dated 6.5.2014. Another prima facie factor is that police itself stated in its final report that there is no material vis-à-vis the present petitioner, even while filing charge-sheet against the other accused.

Under these circumstances, this Court is of the view that the petitioner deserves to be granted bail.

Learned 2nd respondent submits that the petitioner is indulged in anti social activities whenever he is at large.

The petitioner is directed to be released on bail upon furnishing the bail-bonds of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Banka in connection with S. Tr. No.1032/2008/S.Tr. No.560/2009 arising out of Rajaun

P.S. Case No.137/2006, with a condition that the petitioner shall report to the concerned police station between 9:00 and 10:00 a.m. on Sunday, once in every two weeks. The trial court shall also take endeavour to dispose of the case against the petitioner herein at the earliest.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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