

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58241 of 2015

Arising Out of PS.Case No. -306 Year- 2015 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Ranjeet Kumar Bharti @ Ranjeet Kumar Son of Late Mohan Kumar Rai
resident of Village Sangrampur Basti, P.S. Sangrampur, District Munger,
Presently resident at T.N.B. Law College Road, P.S. Kotwali (Barari), Dist.
Bhagalpur.

..... Petitioner/s

Versus

1. The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Sharda Kumari (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 02-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwali
(Barari) P.S. Case No. 306 of 2015 registered for the offences
punishable under Sections 364(A) and 120(B)/34 of the Indian
Penal Code and further Section 302 of the IPC has also been
added.

Allegedly, Kishore Prasad Yadav, the husband of the
informant went with the petitioner to attend feast of *Chhatthi* but
did not return and her husband informed her through mobile that
he is with Tuntun Mandal and others and thereafter, mobile of her



husband was switched off and on enquiry the relatives told that her husband was seen going in the night with the petitioner and others and further the petitioner told the informant to arrange Rs. 10,00,000/- to release her husband and through the mobile of her husband also ransom was demanded. During investigation the petitioner and co-accused Tuntun Mandal gave their confessional statement.

Submission is of false implication and that there is no direct evidence against the petitioner. The confessional statement made before the police has got no evidentiary value in the eye of law, the petitioner is suffering in custody since 24.05.2015, having no criminal antecedent, there is no legal and cogent material against the petitioner, the confessional statements were recorded after adopting third degree method and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the deceased went with the petitioner.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the

learned C.J.M., Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 306 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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