

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59765 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -PAROO District- MUZAFFARPUR

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Ranjan Kumar @ Ranjan Kumar Singh S/o Bimal Singh, R/o Village-
Kalyanpur, P.S.- Paroo, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-01-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

This is the second round of litigation. Earlier the bail application of the petitioner was rejected by order dated 21.09.2017 passed in Cr. Misc. No. 42218 of 2017 with liberty to renew his prayer for bail after framing of charge. Petitioner is languishing in judicial custody since 03.05.2017 in connection with Sessions Trial No. 738 of 2017, arising out of Paroo P.S. Case No. 97 of 2017 registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is



that while he and his brother, Ram Pravesh Singh (deceased) were going on moped, five accused persons named in the First Information Report and four unknown persons stopped them and took out a dagger. The informant fled away, but he heard one of the co-accused, Bimal Singh giving order to kill the informant's brother. Thereafter, when he returned, he found that all the accused persons by means of dagger blow, had killed the informant's brother, Ram Pravesh Singh.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and there is a land dispute between the parties and the present case is a counter-blast to the case lodged by the petitioner's side being Paroo P.S. Case No. 135 of 2016 in which charge-sheet has been submitted against the informant and his family members. He submits that the informant has not seen the occurrence and two of the co-accused, Bimal Singh and Surendra Singh, who are facing trial, are already on bail granted by this Court. He submits that charges have been framed and the petitioner undertakes to cooperate in disposal of the trial on day to day basis.

However, learned counsel appearing on behalf of the informant submits that there are as many as six injuries on the



deceased caused by sharp cutting and pointed weapons and that petitioner was also one of the assailants, as alleged in the First Information Report. Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that the petitioner undertakes to cooperate in the trial, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Muzaffarpur in connection with Sessions Trial No. 738 of 2017, arising out of Paroo P.S. Case No. 97 of 2017, subject to the following conditions:

- (1) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning



any reason will entail cancellation of
his bail bonds.

(Nilu Agrawal, J.)

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