

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56862 of 2018

Arising Out of PS.Case No. -252 Year- 2016 Thana -KHAGARIA District-
KHAGARIA

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Ranjit Das @ Ranjit Kumar @ Ranjit Kumar Das, Son of
Bishnudeo Das, Resident of Village- Durgapur, Police Station-
Khagaria Muffasil, District- Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bharat Bhushan

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3. 03-10-2018

Heard learned counsel for the petitioner

and the learned A.P.P. for the State.

Petitioner, in the present case, is seeking
regular bail in connection with Khagaria Muffasil P.S.
Case No. 252/2016 dated 20.04.2016 as well as S.T.
No. 220/2018 arising out of G.R. No. 843/2016 for
the offence under Section 341, 323, 354, 366(A) and
34 of the Indian Penal Code.

It appears that the petitioner had earlier
moved this court for grant of regular bail vide Cr.
Misc. No. 44674/2017 which was rejected by this
court on 20.09.2017. The trial court was directed to
expedite the trial.

Learned counsel representing the



petitioner submits that during last one year no substantial progress has been made in the trial. It is stated that the case is pending for framing of charge. The petitioner is said to be in custody since 26.05.2017.

Learned counsel submits that in course of investigation the Investigating Agency has recorded the statement of the independent witnesses. In Paragraph-8, 9, 41, 42, 43 & 44 all the independent witnesses have stated that the victim girl was married one year ago in village Rasauk with one Indradev Yadav. The sister of the victim girl has changed the prosecution version and has stated that the victim girl had gone with her mother to purchase certain articles but she got missing from near the Bishwakarma Mandir. She has not supported the prosecution case that the petitioner and the other co-accused had forcibly taken away the victim girl. The independent witnesses have also stated that no alleged occurrence had taken place near the Bishwakarma Mandir. It has also come in course of investigation that the victim girl was known to the co-accused Amit Kumar Das with whom she had allegedly some acquaintance and



relationship from prior to her marriage.

It is submitted that so far as this petitioner is concerned, he happened to be a teacher and when the investigating agency reached the concerned village and examine the attendance register of 14.04.2016, he found the signature of this petitioner in the attendance register and the headmaster and the other teachers informed the investigating officer that at the time of alleged occurrence (10.00 a.m.) on 14.04.2016, this petitioner was attending the school.

Learned counsel submits that it may further be noticed that the alleged occurrence of 14.04.2016 (10.00 a.m.) has been reported to police after six days and the F.I.R. was lodged on 20.04.2016 with an intention to falsely implicate each and every member of the family of Amit Kumar Das (co-accused). It is further stated that the petitioner has no criminal antecedent.

Learned counsel for the State is present and has not controverted the fact that in course of investigation the independent witnesses have stated that no alleged occurrence had taken place and the



petitioner has been falsely implicated. A copy of the case diary is available on the record and this court has also gone through the same. All the independent witnesses have stated that no alleged occurrence had taken place and it is a case of false implication.

In the given facts and circumstance of the case, considering the materials which have been now placed before this court, this court is inclined to grant regular bail to the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge, Khagaria, in connection with Khagaria Muffasil P.S. Case No. 252/2016 dated 20.04.2016 as well as S.T. No. 220/2018 arising out of G.R. No. 843/2016, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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