

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10215 of 2019

Arising Out of P.S. Case No.-75 Year-2018 Thana- BHAGWANPUR District- Vaishali

RISHI RANJAN, aged about 32 years, Son of Late Rajesh Kumar R/o
village- Fakuli, P.S- Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Vikram, Advocate
For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2019 Heard the learned counsel for the petitioner and
learned APP for the State.

Petitioner had earlier moved for bail in
Cr.Misc.No.75674 of 2018 which was rejected on 15.01.2019
with a liberty to the petitioner to renew his prayer for bail after
framing of charge. Petitioner is languishing in judicial custody
since 23.08.2018 in connection with Sessions Trial No.629 of
2018 arising out of Bhagwanpur P.S.Case No.75 of 2018 for the
offence alleged under Section 302 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case as lodged by the informant is
that his son Rajesh Ranjan (deceased) who was an Assistant
Teacher was killed by some miscreants who fired on his son.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the FIR and has been



falsely implicated in the aforesaid case just because there was allegation that the petitioner and the wife of the deceased had love relations with each other which was the cause of incident. He submits that it is only on suspicion that the petitioner has been made accused in the present case as none of the present witnesses in the school whereas other teachers were also present, have identified the petitioner, no test identification parade has been done and the extra judicial confession of the petitioner before the police of his complicity in the said offence has no evidentiary value in the eye of law. Petitioner undertakes to cooperate in the trial on day to day basis, not to induce witnesses or tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Sessions Trial No.629 of 2018 arising out of Bhagwanpur P.S.Case No.75 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Hajipur at Vaishali, subject to the following conditions:-



(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Brajesh Kr./-

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