

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57988 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- PANDARAK District- Patna

RANVIR KUMAR @ RANVIR YADAV Son of Late Ramvilas Yadav
Resident of Village - Gulab Bag, P.S.- Barh, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-12-2019 Learned counsel for the petitioner filed supplementary affidavit praying therein to allow him to make correction in 1st paragraph and prayer portion of the bail petition because one of the accused is M.L.A. and, therefore, the case has been transferred to the court of A.C.J.M. 1st, Patna. Accordingly, the learned counsel for the petitioner is directed to make correction with regard to the name of the court in seisin of the case in paragraph 1 and prayer portion of the bail petition.

Heard Mr. P.K. Shahi, learned senior counsel for the petitioner, and Mr. Ajay Mishra, learned A.P.P.

Heard both sides.

Petitioner seeks bail in Pandarak P.S. Case No.75 of 2019 registered under Sections 341, 323, 504, 506 and 120B of the IPC and under sections 25(1-b)a, 26 and 35 of the Arms Act.



The informant, on information that three persons had come to kill someone, went to the place of occurrence near S.B.I. Bank, Pandarak. The informant saw that many persons had assembled there and the villagers had apprehended three persons. The informant took them into custody and on search arms and ammunition were recovered. The apprehended accused disclosed that Lallu Mukhiya asked his brother Ranveer Yadav and Chandan Singh to drop the apprehended accused at that place for the purpose of killing Mukesh Singh (brother of Bhola Singh).

Learned senior counsel for the petitioner submits that save and except the confession made by the apprehended accused that the petitioner and Chandan Singh dropped them near S.B.I. Bank, Pandarak, there is absolutely no material to show the involvement of the petitioner. Chandan Singh (similarly situated accused) has already been granted bail by a coordinate Bench of this Court on 15.10.2019 passed in Cr.Misc.No.59303 of 2019. No offence under any section of the Arms Act is made out against the petitioner. There is no material to show that the petitioner hatched conspiracy with any other accused persons to kill Mukesh Singh and petitioner is in jail since 21.08.2019.



Mr. Ajay Mishra, learned APP submits that there is extra judicial confession that the petitioner dropped three accused persons from where they were apprehended for the purpose of killing Mukesh Singh. During course of investigation, the Investigating Officer collected material with regard to conversations between two persons. On the one end of conversations, there is a voice of Anant Singh and on the other end, there is some criminal but there is nothing to show that the petitioner was having any conversations with Anant Singh. It is further submitted that the petitioner has got criminal antecedent and, therefore, the petitioner does not deserve bail.

It appears that the petitioner was not apprehended on the spot. Three persons were apprehended by the villagers from near the S.B.I. Bank, Pandarak and from their possession different arms and ammunition were recovered. The apprehended accused persons are said to have disclosed that the petitioner and Chandan Singh on the order of Lallu Mukhiya dropped them near the S.B.I. Bank, Pandarak. Save and except this confession/disclosure made by the apprehended accused, there appears no tangible material to show that the petitioner had talked with any person in course of hatching conspiracy with the apprehended accused or with any other accused



persons. The petitioner has of course got criminal antecedent but the petitioner has already remained in jail for about three and half months only on the materials disclosed in the so-called confessional statement of the co-accused and similarly situated accused has already been granted bail.

Having considered the facts aforesaid, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. 1st, Patna in connection with Pandarak P.S. Case No.75 of 2019.

(Prabhat Kumar Jha, J)

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