

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23728 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- GAMAHARIYA District- Madhepura

RANJIT KUMAR @ LALAN S/o Upendra Yadav Resident of Village-
Gamhariya, P.S.-Gamhariya, District-Madhepura,

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mrs. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by the office, within three
weeks of resumption of physical court proceeding. In the
eventuality of non-removal of defects within undertaken period,
the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 25 (1-b)a, 26 and 35 of the
Arms Act.

As per the prosecution case, while the informant along



with police force had gone to patrolling and raiding in a case in which the accused is the present petitioner. During course of patrolling when the informant reached near the Purani Bazar in the south direction at 500 meters, one person after seeing the police party started running and the police party gave chase and lastly he was caught and disclosed his name as Ranjit Kumar (petitioner). It is further alleged by the informant that in front of witnesses he started searching the petitioner and found in his waist one country made pistol, cartridge and one Redmi mobile phone.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case at the instance of local police. As a matter of fact, the petitioner has viral a video of the S.H.O. of Gamharia P.S. and the said video disclosed that the S.H.O. was taking a bribe from a person. The said video is viral on facebook and whatsapp and due to this reason, the petitioner has been falsely implicated in this case by the police. It is further submitted that there is violation of Section 100(4) Cr.P.C. It is also submitted that the mentioning of the F.I.R. No. on sketch memo and seizure memo clearly shows that memos were prepared after registration of the F.I.R. and not prior to the



registration of the F.I.R. This facts also clearly shows that all the proceeding has been done at the police station and not on the spot. The petitioner has been languishing in custody since 08.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after completion of six months from the date of custody**, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhepura in connection with Gamharia P.S. Case No.67 of 2020.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

