

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32094 of 2020

Arising Out of PS. Case No.-74 Year-2019 Thana- KARTAHA District- Vaishali

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Ranjay Kumar Son of Brij Raj Singh Resident of Village-Ghataro, P.S.-
Kartahan, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :
For the Petitioner : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party : Mr. Ram Chandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 14-12-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State via video

conferencing.

2. The petitioner has filed the present

application under Sections 439 and 440 of the Code of Criminal

Procedure for grant of bail in connection with Kartahan P.S.

Case No.74 of 2019 registered under Sections 307, 120-B/34 of

the Indian Penal Code.

3. It is submitted by the learned counsel for the

petitioner that from perusal of the first information report, it

would appear that the petitioner is not the person who had

opened fire causing injury to the informant of the case. The case



of the petitioner stands on identical footing to that of co-accused Ramesh Paswan and Yogendra Paswan @ Yogindra Paswan, who have been granted bail by different orders passed by different Benches of this Court in Cr.Misc. Nos.26057 of 2020 and 22237 of 2020 respectively. It is further contended that the petitioner has got no criminal antecedent and, admittedly, the alleged offence was committed due to land dispute. Lastly, it is contended that the petitioner is in custody since 04.03.2020 and there is no requirement of his custodial interrogation as the charge sheet has already been submitted.

4. Learned Additional Public Prosecutor for the State has opposed the prayer for grant of bail to the petitioner. He contended that the petitioner is one of the named accused in the first information report. However, he does not dispute the fact that the allegation of opening fire is against two unknown miscreants.

5. Having regard to the submissions advanced at the Bar, since two other co-accused, namely, Ramesh Paswan and Yogendra Paswan @ Yogindra Paswan have already been granted bail by this Court and the case of the petitioner stands on identical footing, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Sub-Judge-XVI-cum-ACJM-XV, Vaishali at Hajipur in connection with Kartahan P.S. Case No.74 of 2019.

6. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my e-mail by the Senior Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Senior Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Senior Secretary/registry for up-loading of the present



order without compromising with the norms of
social distancing.

(Ashwani Kumar Singh, J)

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