

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69768 of 2019

Arising Out of PS. Case No.-358 Year-2017 Thana- TAJPUR District- Samastipur

Ranjit Kumar @ Dablu Jha Son of Sukan Jha Resident of Village- Salempur,
P.S.- Musarigharari, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Mukesh Kumar No1, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 17-06-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
13.06.2018 in a case registered for the offences punishable
under Sections 399, 402, 115, 120B of the Indian Penal Code
and Sections 25(1-AA), 25(1-AAA), 25(1-B)a, 25IA, 26 & 35
of the Arms Act, hence, the prayer for bail has been made
through the present application.

The prosecution case, as per the self statement of
S.I., Vishwajit Kumar, SHO, Tajpur Police Station recorded on
02.11.2017, is to the effect that the Special Task Force gave a



confidential information that the members of the gang of Dablu Jha, the petitioner and co-accused Pappu Choudhary have gathered near Govt. Project School, Morwa and are preparing to commit dacoity, consequently, a raid was laid and two persons Alok Kumar @ Ashutosh Kumar @ Munchun @ Ambani and Aman Anand @ Lallu Singh were apprehended. It is alleged from the possession of co-accused Alok Kumar, one loaded carbine, 16 live cartridges and other articles were recovered and he confessed that he was planning to kill Md. Kausar and on the information given by co-accused Alok Kumar, a raid was conducted in the house of co-accused Pravin Kumar Choudhary and Sanjay Kumar Choudhary and one AK-47 and 9 live cartridges were recovered and from the possession of co-accused Aman Anand, one loaded country made pistol and 5 live cartridges were recovered. Both the apprehended accused admitted that they are the members of gang of Pawan Choudhary and petitioner Dablu Jha. The petitioner is not named in the FIR and there is no recovery from the possession of the petitioner but the accused persons suggested that they belong to the gang of the petitioner and hence, the petitioner has been roped in the present case.

It is submitted by learned counsel for the petitioner



that on the date of alleged occurrence, the petitioner was in custody in connection with Mushrigharari P.S. Case No. 119 of 2017. Though, the petitioner has serious criminal antecedent but in the present case only on the basis of suspicion, the petitioner has been remanded.

Learned APP for the State submits that the petitioner has serious criminal antecedent and he is the gang leader.

Considering the fact that there is no recovery from the possession of the petitioner in the present case and contention of learned counsel for the petitioner that on the alleged date of occurrence, the petitioner was in judicial custody, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Additional District & Sessions Judge-1, Samastipur in connection with Tajpur P.S. Case No. 358 of 2017.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by



such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-1, Samastipur in connection with Tajpur P.S. Case No. 358 of 2017.

The learned Court below is at liberty to further extend the period of provisional bail if the court proceeding in physical mode will not resume in next three months.

However, since the petitioner has serious criminal antecedent the learned court below will positively cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in some serious nature of offence or defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

DKS/-

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

