

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85580 of 2019**

Arising Out of PS. Case No.-45 Year-2016 Thana- KAJRA District- Lakhisarai

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Ranjeet Mandal @ Raijeet Kumar Mandal @ Ranjeet Kumar Mandal Son of
Ramautar Mandal @ Ramotar Mandal Resident of Mohalla-Chitrangan Road,
Naya Tola, PS-Lakhisarai, District-Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 22-06-2020 The matter has been taken up through virtual Court
proceeding.

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

The petitioner has renewed the prayer for bail 3rd
time in a case registered for the offences punishable under
Sections 147, 148, 149, 353, 307 of the Indian Penal Code, 1860
and Sections 25(1-B)a/26/27/35 of the Arms Act, 1985.

The prosecution case, as per the written report of
S.I., Vinay Prakash submitted to the Station House Officer,
Kajra Police Station, is to the effect that on the direction of
S.S.P., Patna, Hawaii Adda P.S. Cse No. 170 of 2016 was
registered with regard to kidnapping of Suresh Chandra Sharma



and Kapildeo Sharma and for tracing of said two persons, raid was laid when the accused persons resorted to fire on the police personnel. Subsequently, two persons were arrested, who disclosed their name as Sintu Kumar @ Pintu Kumar and Sintu Thakur and they also disclosed the name of other persons including the petitioner, who were firing and subsequently, during raid in pursuance to the disclosure of co-accused, Pintu from nearby place, one person was apprehended, who disclosed his name as Ranjit Mandal, the petitioner and from his possession, one regular loaded pistol and eight live cartridges were recovered and other persons managed to escape from the scene but from the bushes around arms and ammunitions were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 27.10.2016 and even assuming the accusation to be true, no case under Section 307 IPC is not made out against the petitioner. It is further submitted that for the recovery of arms the petitioner has remained in custody for more than three and half years and there is no likelihood of trial being concluded in near future due to present pandemic, COVID-19 since the physical court is not functioning. The petitioner is accused in two other cases but in



one case he has been granted bail and in other case, his bail application is pending before this Court, but statement to that effect has not been made in the petition.

Learned APP for the State submits that the recovery of arms has been made from the petitioner.

Considering the fact that from the possession of the petitioner a regular loaded pistol and eight live cartridges were recovered and he has remained in custody for more than three and half years, 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- 2nd, Lakhisarai in connection with Sessions Trial No. 185 of 2018, arising out of Kajra P.S. Case No. 45 of 2016.

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 – 2nd, Lakhisarai in connection with Sessions Trial No. 185 of 2018, arising out of Kajra P.S. Case No. 45 of 2016.

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.

(Dinesh Kumar Singh, J)

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