

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13142 of 2021

Arising Out of PS. Case No.-267 Year-2017 Thana- RAMPUR District- Gaya

=====

RANJEET SAO Son of Late Gopal Sao Resident of Village /Mohalla -
Narayan Garh, P.S. - Rampur, District - Gaya, Bihar. I

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Singh, Adv

For the Opposite Party/s : Ms. Pushpa Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 31-08-2021 In view of sudden resurgence of COVID – 19

infection there is limited functioning of the High Court and

therefore the matter has been listed for consideration through

virtual mode.

Heard learned counsel for the petitioner and learned

APP for the State.

This Court would expect that the petitioner's

Counsel would honour his undertaking in the instant

proceedings regarding supply of requisite court fee etc. within

two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Rampur P.S.

Case No. 267 of 2017 registered under Sections 302 and 34 of

the Indian Penal Code and Section 27 of the Arms Act.

It is the prosecution case that along with his daughter,



son-in-law and grand-son the informant was going on his son-in-law's tempo. Another tempo has overtaken and he alleges that the petitioner along with his mother, sister and all family members have accosted them thereafter the petitioner has fired upon his son-in-law leading to his death.

Learned counsel for the petitioner submits that the petitioner and deceased are brothers. Implication of petitioner and his entire family members after death of his brother is by the father-in-law of the brother with the motive of taking undue advantage in the property of the deceased. He submits that in paragraphs 11 and 12, independent witnesses, during the course of investigation, have stated that only one person was fleeing away after firing on the victim. The manner in which the occurrence has been alleged is highly improbable that all family members including female members would go for killing the own brother of the assailant. Under such circumstances, it is submitted that the petitioner is in custody since 20.1.2020. He also has no criminal antecedents.

Learned APP has opposed the prayer for bail. It is submitted that informant has specifically stated about firing by the instant petitioner leading to the death of the victim.

Considering the rival submissions as also the facts and



circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Gaya, in Rampur P.S. Case No. 267 of 2017, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SUMIT/-

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

