

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26380 of 2021

Arising Out of PS. Case No.-2 Year-2017 Thana- C.B.I CASE District- Patna

RAM RANJAN KUMAR S/O LATE SHYAMDEO PRASAD R/O
VILLAGE/MOHALLA-BANSH KOTHI STREET (GATE NO.93), POLICE
STATION-DIGHA, DISTRICT-PATNA.

... .. Petitioner/s

Versus

1. THE UNION OF INDIA THROUGH C.B.I., SCB, PATNA PATNA.
2. THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the CBI : Mr. Bipin Kumar Sinha, SC

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 21-12-2021 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in connection with C.B.I./SCB P.S. Case no. RC-0922017S0002 of 2017 registered under sections 420, 120B, 419, 467, 468 and 471 of the Indian Penal Code.

As per the prosecution case, in place of Shankar Kumar who was made accused in Warsaliganj P.S. Case no. 195 of 2014, as a result of conspiracy by the accused persons including the petitioner herein, another accused namely Vicky Kumar surrendered in his place and went to jail.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected



vide order dated 5.12.2020 (Annexure 1) passed in Cr. Misc. no. 23310 of 2020 with the observation that the same was being rejected for the present. The petitioner is in custody in the instant case since 20.11.2019. Further, co-accused Kanhaiya Kumar who is stated to have sworn the affidavit which was identified by this petitioner, has been granted bail vide order dated 13.12.2021 passed in Cr. Misc. no. 43222 of 2021.

Learned standing counsel appearing for the CBI has provided to the Court a copy of the charge sheet and the same is taken on record.

The application for bail is opposed by learned standing counsel appearing for the C.B.I who submits that the allegations against the petitioner are direct and serious in nature. Referring to paragraph nos. 16.36 onwards of the charge sheet it is submitted that it was on the persuasion and intimidation by the petitioner and one Shankar Kumar that Vicky Kumar was forced to surrender in place of the accused Shankar Kumar. Further the affidavit sworn by Kanhaiya Kumar was identified by this petitioner. It is lastly submitted that trial has commenced in the learned trial Court.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case



including the petitioner having remained in custody for over 2 years and grant of bail to aforesaid co-accused Kanhaiya Kumar, the Court directs the petitioner to be enlarged on bail in connection with C.B.I./SCB P.S. Case no. RC-0922017S0002 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, C.B.I, Patna.

In view of the fact that trial has commenced in the learned trial Court, it is directed that the petitioner shall cooperate in the trial and shall remain present in Court on each date of the trial. In case of the petitioner's absence on any date for reasons not to the satisfaction of the learned Trial Court or in case the learned Trial Court is of the opinion that the trial is being delayed due to non-cooperation of the petitioner, the learned Trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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