

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25410 of 2020

Arising Out of PS. Case No.-113 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ranjeet Singh @ Ranjeet Kumar Singh, Son of Shiv Kumar Singh, Resident
of Village- Bari Eghu, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Advocate
For the State	:	Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Jai Prakash Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

12 09-08-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 354 of the
Indian Penal Code to which sections 302 and 201 of the Indian
Penal Code and section 27 of the Arms Act was added
subsequently.

As per allegation in the FIR, it is stated that the son of
the informant used to live on rent in the house of one Rita Devi.
As a result of pending dispute the four named accused persons
including the petitioner herein as also two unknown called the
son of the informant, however, he did not return by 1.3.2020



and was not to be found inspite of search. It is stated that the informant is convinced that some unfortunate occurrence has taken place and the accused persons have a hand in his disappearance.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case. From perusal of the FIR it could be evident that the informant is not an eye witness to the occurrence. An unfounded suspicion has been raised against the petitioner and at best it may be a case of last seen. Even accepting the so called statement of Hari Singh, although the same is inadmissible, the overt act is alleged against Sukho Singh and Maksudan Singh. The petitioner is in custody since 10.4.2020 and investigation in the case has concluded. With respect to the antecedents of the petitioner it is submitted that two supplementary affidavits have been filed. While the petitioner was acquitted in the other cases, with respect to the some of the cases which has been mentioned in the supplementary affidavit, as per the report received from the Chief Judicial Magistrate, Begusarai, the petitioner is not an accused in those cases.

The application for bail is opposed by learned APP



for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but there is specific allegation that he kidnapped the son of the informant and killed him. Soon after the occurrence the dead body was recovered and section 302 of the IPC added. It is submitted that arms has been recovered from the house of the friend of the petitioner. No witness is ready to speak out against him and he has a number of criminal antecedents as narrated in the counter affidavit which he suppressed in paragraph no. 3 of his petition. It is further submitted that the witnesses in course of investigation have supported the prosecution case in paragraph nos. 2, 5, 26, 46, 47 and 125 of the case diary.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the materials that has transpired in course of investigation together with the petitioner having remained in custody for 1 year 3 months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Muffasil P.S. Case no. 113 of 2020 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 Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

Spd/-

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