

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.38717 of 2020**

Arising Out of PS. Case No.-16 Year-2020 Thana- PATEPUR District- Vaishali

PRABHAT KUMAR RANJAN Son of Kishori Mahto Resident of Village -
Bhusahi, P.S. - Baligaon, District - Vaishali

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Soni, Advocate

For the Opposite Party/s : Mr.Tarun Kumar Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 13-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Patepur P.S. Case No. 16/2020 registered for the offences punishable under Section 302, 120(B) of the Indian Penal Code read with Section 27 of the Arms Act. Petitioner is in custody since 17.04.2020.

As per the prosecution story, the informant alleged that on 25.04.2020 at about 7:45 P.M. when he and his brother were at their medical shop, one Singheshwar Sah came and told his brother that he has to talk something and he took away his brother on a motorcycle. It is further alleged that after sometime the informant heard the sound of gunshot thereafter he reached there and found that seven co-accused were fleeing away from



the place of occurrence and his brother was lying in a pool of blood.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner has been brought in this case after taking him on remand from another case, however he is in custody since 17.04.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that petitioner has been brought in this case after taking him on remand from another case, the co-accused namely Randhir Kumar and Amarjit Kumar have been granted bail by learned coordinate Benches of this court and this court as well in various criminal miscellaneous and the main accused Rahul Kumar and Uma Shankar Shah have been granted bail by the learned court below itself, there is no denial of learned A.P.P. for the State that the case of the petitioner stands on similar footing with the co-accused who have been granted bail, petitioner being in custody since 17.04.2020, investigation against him is complete but the trial is not likely to be taken up in near future,



petitioner has only one criminal antecedent on his head, in the circumstances, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vaishali in connection with Patepur P.S. Case No. 16 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of



bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

