

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.994 of 2021

Arising Out of PS. Case No.-719 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

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RANJAN KUMAR SON OF BACHCHA RAY RESIDENT OF VILLAGE-
DIPAU, P.S.-KOTWA, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 414, 356 & 379/34 of the
Indian Penal Code.

As per the prosecution case, while the informant was on
patrolling duty and reached at Bairiya bus stand saw that people
were chasing two persons with raising alarm Chor, Chor and
then police caught them. Apprehended person disclosed the
name of the petitioner as one of his accomplices.

It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. He has been
falsely implicated in this case on the confessional statement of
apprehended accused due to animosity. The petitioner is neither



named in the F.I.R. nor he was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. No T.I. parade has been conducted. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of apprehended accused which has no evidentiary value in the eye of law. Co-accused, namely, Afsar Alam has been enlarged on bail by this court vide order dated 24.02.2021 passed in Cr. Misc. No. 617 of 2021. The petitioner has no criminal antecedent and has been languishing in custody since 03.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No.719 of 2020, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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