

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6218 of 2021**

Arising Out of PS. Case No.-83 Year-2020 Thana- RAGHOPUR District- Supaul

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RANJIT KUMAR RAM @ LALTU RAM SON OF JAGAT NARAYAN
RAM, RESIDENT OF VILLAGE – PARSHARMA, P.S - RAGHOPUR,
DISTRICT - SUPAUL

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 03-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

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 Raghapur P.S. Case No. 83 of 2020

registered for the offences punishable under Sections 302/394

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

1959.

As per the prosecution story, the informant is the

wife of the deceased and has alleged that on 23.04.2020 at

about 6.00 am her husband had gone to gas agency for distribution of gas cylinders. At about 12.00 pm, she was informed by the villagers that her husband has been shot by four persons and they have fled away taking the bag of money. The informant reached at the said place where she was told that her husband succumbed to the gunshot injuries while he was on the way to the hospital and the said four persons have taken away the money bag.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report, there is no eye-witness to the alleged occurrence, however, the name of the petitioner has transpired on the basis of CCTV footage of the gas agency and further on the basis of the statement of the spy and the co-accused Randhir Yadav.

Learned counsel further submits that the petitioner has also made confessional statement and the said confessional statement had led to recovery of Rs. 15,200/- from the house of the petitioner and further one pistol and six live cartridges have been recovered from the house of this petitioner. This petitioner has got four criminal antecedents, however, he is said to be on bail in all the cases.

In the present case he is in judicial custody since

22.06.2020.

Learned APP for the State has opposed the prayer for bail of the petitioner. It is submitted that in the present case the husband of the informant has been killed while he was engaged in distributing gas cylinders and was performing his duty in the gas agency. The CCTV footage of the gas agency revealed that this petitioner and the co-accused Randhir Yadav had been involved in the alleged occurrence and the petitioner as well as Randhir Yadav made confessional statements before the police. On the basis of the confessional statement of the petitioner, looted money of Rs. 15,200/- has been recovered from his godrej almirah and further from his house one pistol with six live cartridges have been recovered, therefore, considering the gravity of the offence, the criminal antecedent of the petitioner and the materials on the record, the petitioner does not deserve privilege of bail.

Considering the facts and circumstances of the case wherein the petitioner has not only been identified in the CCTV footage, he has made confessional statement leading to recovery of money and one pistol with six live cartridges and further considering that he has got four criminal antecedents and if all of these are considered together, this Court is not

inclined to release the petitioner on bail. The prayer for bail is thus refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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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'.