

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10686 of 2021**

Arising Out of PS. Case No.-655 Year-2020 Thana- PATRAKARNAGAR District- Patna

RANJIT KUMAR SON OF LATE SADHU RAI VILL FATEHPUR EAST @
RAGHOPUR EAST, P.S.- JURAWANPUR, DISTRICT- VAISHALI

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

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

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

2 21-05-2021 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 Patrakar Nagar P.S. Case No 655 of 2020 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)a, 126/35 of the Arms Act.

Learned counsel for the petitioner submits that as per the prosecution story, the informant got secret information that some miscreants have assembled at Malahi Pakri to commit some crime. Upon receiving this information, the informant along with police team reached at the said place where four persons were seen in suspicious condition and they tried to flee away but were



apprehended by the police party and they disclosed that they were going to do some crime and their main person was waiting at some distance. When the police team reached at Vijaya Hospital they saw three persons sitting in a vehicle and all of them were arrested at the spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that no arm and ammunition was recovered from the possession of the petitioner and only a mobile phone was recovered. The petitioner's name has come in this case because he was with the co-accused who is the co-villager and had come to see the ailing member of the family in the Vijaya hospital where the petitioner was also there to attend the ailing member of the family. Learned counsel submits that petitioner is in custody since 16.10.2020 having no criminal antecedent.

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 from possession of the petitioner no arms and ammunition was recovered by the police, only a mobile phone was recovered and the petitioner has been made victim of the circumstances because he was with the co-accused who happens to be the co-villager and had come to see the ailing member of the family in the Vijaya hospital where



the petitioner was also there to attend the ailing member of the family, he has otherwise no criminal antecedent and has remained in jail in connection with the present case since 16.10.2020, investigation against him is complete and there being no submission on behalf of the State that release of the petitioner at this is in any way likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released 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 Sub-Judge-VIII-cum-A.C.J.M., Patna in connection with Patrakar Nagar P.S. Case No. 655 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.

This application stands disposed of accordingly.

(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'.

