

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2140 of 2022

Arising Out of PS. Case No.-303 Year-2021 Thana- MADANPUR District- Aurangabad

Maharana Pratap Ranjan @ Rana Ranjan S/O Jitendra Yadav @ Jitendra
Kumar R/O Village- Gamharia, P.S.- Kasma, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 07-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Madanpur P.S. Case No. 303 of 2021 registered for the

offences punishable under Sections 16, 18, 20, 38 and 39 of

U.A.P Act, 1967.

The prosecution case as emerges from the FIR is

that on search operation, the officers of C.R.P.F. had caught

one unknown person carrying a bag, bearing some naxal

literatures, magazines, a hand written pamphlet, mobile, 2

jeans pant and cash of Rs. 1500/-.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that the allegation and the seizure list shows that no offence is made out under Sections 16, 18, 20, 38 and 39 of U.A.P Act 1967. He also submits that the FIR in fact has been lodged in complete disregard of law and in violation of Constitutional and human rights. He also submits that the petitioner has been languishing in jail since 21.10.2021 without any rhyme and reason.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the alleged offence is serious in nature.

Considering the aforesaid facts and circumstances the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to



the satisfaction of the Ld. C.J.M., Aurangabad, in connection with Madanpur P.S. Case No. 303 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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