

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9898 of 2022

Arising Out of PS. Case No.-70 Year-2021 Thana- NAWANAGAR District- Buxar

RAVI RANJAN RAJAK Son of Binod Rajak Resident of Village- Kukudha,
Police Station- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Nawanagar P.S. Case No. 70 of 2021 registered for the offence
under Sections 307 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 23.08.2021.

The allegation against the petitioner is to assault the
informant by using firearms, with intention to cause death of the
informant, along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is not named in the FIR, where, name of this petitioner surfaced on the basis of confessional statement of co-accused, namely, Bhikhari Yadav, in furtherance thereof, no incriminating material recovered/surfaced, during course of investigation, which may connect this petitioner, *prima facie*, with the present set of occurrence. It is also submitted that injured/informant, despite eye-witness of the occurrence was never invited to join the TIP, which may connect this petitioner with the present set of occurrence. It is also pointed out by learned counsel for the petitioner that petitioner is involved in the present case, due to his criminal antecedents, as he found involved in 09 more criminal cases, where, he is on bail in 07 cases, where in the most of the cases, name of the petitioner surfaced on the basis of confessional statement, as of present case. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as nothing incriminating material surfaced/recovered,



during course of investigation, which may connect this petitioner, *prima facie*, with the present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nawanagar P.S. Case No. 70 of 2021, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Buxar/concerned court, subject to the following conditions:

“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by



the documents.

(iii) That one of the bailors of the
petitioner shall be deponent of the present
bail petition.”

(Chandra Shekhar Jha, J)

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