

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16630 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- BEUR District- Patna

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Ranjeet Kumar (Male) aged about 32 years, S/o- Ramasis Prasad, R/o- Village - Murhara, P.O. - Gyani Bigha, P.S. - Sakurabad, District - Jehanabad. At present Address - Mohalla- Kurthaul Parsa Bazar, P.S. - Parsa Bazar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Niranjana Parihar, Advocate
For the Opposite Party/s :	Mr. Sumit Shekhar Pandey, Advocate
	Mr. Anand Mohan Prasad Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-08-2022 Heard Mr. Niranjana Parihar, learned counsel

appearing on behalf of the petitioner, Mr. Sumit Shekhar Pandey, learned counsel appearing on behalf of the informant and Mr. Anand Mohan Prasad Mehta, learned A.P.P. for the State.

Petitioner, who is in custody since 07.01.2022, seeks regular bail in connection with Beur P.S. Case No. 17 of 2022 dated 07.01.2022 registered for offences punishable under Sections 307, 326, 341, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story in brief is that one miscreant had fired upon the brother of the informant, who sustained firearm



injury while they were going to some place by Car.

Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the FIR. No T.I.P. has been held till date. Charge-sheet has already been submitted. Name of the petitioner has come in course of investigation on the basis of confessional statement of one co-accused Chandan Kumar. He further submits that nothing has been recovered from the possession of the petitioner and he is in custody since 07.01.2022.

Learned counsel appearing on behalf of the informant submits that petitioner had assured the victim to sale his land for rupees twenty four lacs and the same was not done. Petitioner hatched conspiracy to kill the brother of the informant who was brutally assaulted by the accused persons and the informant is still undergoing treatment. He further submits that injury sustained by the victim is grievous in nature and the same is attributed to the present petitioner.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that from the testimonies of the witnesses it appears that the petitioner had taken rupees twenty four lacs from the victim but he had not registered land in favour of the victim, however, in



course of investigation, no material has been brought on the record regarding agreement of sale.

Having heard the rival submission of the parties, the FIR is against unknown persons, the petitioner has been made accused in the present case on the basis of confessional statement of one co-accused Chandan Kumar. In course of investigation, no material has been collected with regard to the involvement of the present petitioner with the alleged commission of crime. No recovery has been made from the possession of the petitioner. Petitioner is in custody since 07.01.2022. Charge-sheet has already been submitted and there is no likelihood of trial being concluded in near future. Prima facie petitioner has made out a case to be released on bail.

The Court below is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- IIIrd, Patna in connection with Beur P.S. Case No. 17 of 2022 dated 07.01.2022 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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