

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19046 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Ranjit Dhimare @ Ranjit Ghimirey S/o Bhakate Gimare @ Bhakte Ghimirey
R/o Village- Salwari, Sukana More, P.S.- Barodhan Nagar (Pradhan Nagar),
District- Darjiling (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 387, 389 of the Indian Penal
Code and Section 25(1-b)a, 26, 35 of the Arms Act.

According to prosecution case, one country made
pistol, three cartridges and cash of Rs.47,74,000/- from the
possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that nothing incriminating



article has been recovered from the conscious possession of the petitioner, rather the recovery has been made from the vehicle in question. He further submits that petitioner has no concern at all with the alleged recovery of arms or cash of Rs.47,74,000/-. He further submits that victim has not identified the petitioner in the case which was registered in the Silliguri. He further submits that similarly situated, co-accused, namely, Robin Urang @ Robin Oraon and Faiz Ahmad have been granted bail by this Court vide order dated 20.07.2022 passed in Cr. Misc. No. 1676 and Cr. Misc. No. 1812 of 2022. The petitioner is in custody since 12.01.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Motipur P.S. Case No. 08 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. 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.

(Rajesh Kumar Verma, J)

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