

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10204 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- NAWANAGAR District- Buxar

Ravi Ranjan Rajak Son of Binod Rajak Resident of Village - Kukudha, P.S.-
Itarhi, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 21421 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- NAWANAGAR District- Buxar

Bhikhari Yadav@Dipu Yadav Son Of Mahesh Yadav Resident Of Village -
Chhotka Purwan, P.S.- Brahampur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10204 of 2022)

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

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

(In CRIMINAL MISCELLANEOUS No. 21421 of 2022)

For the Petitioner/s : Mr.Umesh Kumar Singh, APP

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP 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. 68 of 2021 registered for the offence



under Sections 307, 435, 427 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 15.12.2021.

The allegation against the petitioner is to cause fire arm injury to informant out of road rage issue, along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, Bhikhari Yadav, and as he was found involved in nine (9) more criminal cases on the basis of said suspicion of criminal antecedents, he was implicated in the present case also without having any bearing over merit of this case. It is further submitted that nothing incriminating material surfaced/recovered during the course of investigation, which may connect this petitioner, *prima facie*, with the present set of occurrence. It is also submitted that despite of eye witness of the occurrence, petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as nothing surfaced/recovered during course of investigation to 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. 68 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 shall be deponent of the present bail petition.”

IN. CR. MISC. NO. 21421 of 2022

Heard learned counsel appearing on behalf of the petitioner and learned APP 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. 68 of 2021 registered for the offence under Sections 307, 435, 427 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 5.08.2021.

The allegation against the petitioner is to cause fire arm injury to informant out of road rage issue, along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced in the present case on the basis of suspicion, as he found involved in seven (7) more criminal cases. It is submitted that name of the petitioner surfaced on the basis of input provided by the police spy, where nothing surfaced during the course of investigation to connect this petitioner, *prima facie*, with the present set of occurrence. It



is further submitted that despite of eye witness of the occurrence, petitioner was not put on TIP, as yet. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances as mentioned above, as nothing surfaced/recovered during course of investigation to 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. 68 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:

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

(Chandra Shekhar Jha, J)

R.S.Sen/-

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