

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43498 of 2021

Arising Out of PS. Case No.-219 Year-2017 Thana- ATHMALGOLA District- Patna

RANJIT KUMAR Son of Shamli Singh @ Shyamali Singh Resident of
Village - Rampur Dumra, P.S.- Maranchi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Athamalgola P.S. Case No. 219 of 2017 instituted for the
offences under Sections 302 and 120(B)/34 of the Indian Penal
Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.01.2021, charge-sheet has been
submitted, charges have been framed and has antecedent of four
cases.

Learned counsel for the petitioner submits that the
informant alleges that on 04.09.2017, she had come to her
parental home, further her son was murdered in 2015 and the



case was going on in Barh Court and the evidence was to be recorded on 06.09.2017. Further in order to ensure that the evidence of her husband is not recorded, Roshan Kumar @ Putus and Golu Singh from jail conspired with twelve named accused persons including the petitioner and four unknown accused and got her husband killed near Bahurani Hotel. Further, four named accused persons including the petitioner fired indiscriminately killing her husband at the spot.

Learned counsel for the petitioner submits that the petitioner and the informant are agnates and they are having land dispute. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant is not an eyewitness to the occurrence. Learned counsel also submits that it absolutely does not stand to reason that as to how the informant came to know that a conspiracy was hatched from the jail in connivance with twelve named and four unknown accused persons to eliminate her husband. Learned counsel further submits that since land dispute is going on between the parties and the parties are related, as such, the informant falsely implicated the petitioner along with his family member. It is submitted that other co-accused Golu Singh @ Golu Kumar has been granted bail by order dated 24.04.2018 in



Cr. Misc. No. 24446 of 2018, Raushan Kumar @ Putus has been granted bail by order dated 18.05.2018 in Cr. Misc. No. 21685 of 2018 and Shubham Kumar has been granted bail by order dated 02.02.2021 in Cr. Misc. No. 31215 of 2020.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, charges have been framed, other co-accused have been granted bail and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Athamalgola P.S. Case No. 219 of 2017, subject to the condition that if the petitioner does not appear on dates fixed in the trial without any plausible explanation, the learned court below shall forthwith cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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