

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33334 of 2022**

Arising Out of PS. Case No.-62 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Rajeev Kumar @ Rajeev Yadav Son of Late Bideshi Yadav Resident of Village - Nilkothi, Sahebganj, P.s.- Lalmatiya, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 37130 of 2022**

Arising Out of PS. Case No.-62 Year-2022 Thana- NATHNAGAR District- Bhagalpur

RANBIR RANJAN Son of Late Jay Kant Singh Resident of Village-Nasrat Khani, P.S.-Nath Nagar (Lalmatiya), District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 33334 of 2022)

For the Petitioner : Mr. Manoj Kumar Jha, Advocate

For the State : Mr. Navin Kumar Pandey, APP

For the Informant : Mr. Swapnil Kr. Singh, Advocate

(In CRIMINAL MISCELLANEOUS No. 37130 of 2022)

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate

: Mr. Vikash Kumar, Advocate

For the State : Mr. Nitya Nand Tiwary, APP

For the Informant : Mr. Swapnil Kr. Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      20-12-2022                      Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Nathnagar (Lalmatiya) P.S. Case No.62 of 2022 registered for the offence under Sections 302 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 04.02.2022.

The allegation against the petitioner is to commit the murder of brother of the informant alongwith other named co-accused persons due to money related disputes.

Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced on the basis of confessional statement of co-accused, namely Ranbir Ranjan, in furtherance of which, no incriminating material recovered/surfaced during the course of investigation, which may connect this petitioner with the present set of occurrence/murder. It is also pointed out that the alleged transaction was made with co-accused Ranbir Ranjan. It is pointed out that mere on the basis of Call Detail Report (CDR) as conversations with named co-accused was found with this petitioner at the time of occurrence, petitioner cannot be implicated in present case. It is also submitted that petitioner is found involved in one more case, where he is on bail. 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 appearing on behalf of the State duly assisted by learned counsel appearing on behalf of informant, while opposing the prayer of bail submitted that petitioner found in conversation over his mobile phone with named co-accused at the time of the occurrence.

In view of the facts and circumstances as mentioned above as save and except Call Detail Report (CDR), no incriminating material surfaced during the course of investigation against this petitioner coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Nathnagar (Lalmatiya) P.S. Case No.62 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**CRIMINAL MISCELLANEOUS No. 37130 of 2022**

Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Nathnagar (Lalmatiya) P.S. Case No.62 of 2022 registered for the offence under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.



The accused/petitioner is named in the F.I.R. and is in custody since 30.01.2022.

The allegation against the petitioner is to commit the murder of brother of the informant alongwith other named co-accused persons due to money related disputes.

Learned counsel appearing on behalf of the petitioner submitted that as petitioner called deceased to receive the payment as per F.I.R., his name implicated in the present case out of suspicion without having any connecting evidence. It is further submitted that petitioner also visited hospital immediately after the occurrence alongwith deceased. It is also submitted that CCTV footage as alleged, is not connecting this petitioner with the occurrence for the reason that his residence is also beside, the same school, where CCTV camera was installed and, as such, his movement in the locality appears very obvious. It is also submitted that no incriminating material recovered, in furtherance of self confession of this petitioner, which may connect him with the present set of occurrence. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, 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 appearing on behalf of the State duly assisted by learned counsel appearing on behalf of informant, while opposing the prayer of bail submitted that petitioner found in conversation over his mobile phone with named co-accused at the time of the occurrence.

In view of the facts and circumstances as mentioned above as nothing incriminating surfaced/recovered in furtherance of the self confession coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Nathnagar (Lalmatiya) P.S. Case No.62 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Class-I, Bhagalpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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