

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62674 of 2021**

Arising Out of PS. Case No.-88 Year-2020 Thana- SANGRAMPUR District- Munger

RAJIV RANJAN Son of Buti Lal Yadav @ Buti Lal Rai Resident of Village -
Kadhucha, Police Station - Belhar, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Praveen Kumar, Advocate
For the Opposite Party/s :	Mr. Raj Kishore Prasad, Advocate
	Mr. Ashok Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 06-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of Sangrampur P.S. Case No. 88 of 2020, disclosing offence punishable under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

From the First Information Report, it appears that one Bibhishan Yadav is brother-in-law (sister's husband) of the deceased. The petitioner is brother-in-law (sister's husband) of said Bibhishan Yadav. The informant is the brother of the deceased. It is alleged in the FIR that the deceased, the said Bibhishan Yadav and the petitioner were going to some place in two motorcycles. On their way, allegedly, the deceased was shot



dead by unknown miscreants.

The case diary of the case has been called for, which is there on record, from which it appears that during the course of investigation it transpired that the deceased and the persons, who were accompanying him including the petitioner, were surrounded by some motorcyclists who shot dead the deceased. It is the prosecution's case that under some conspiracy the petitioner took the deceased to the place of occurrence where he was killed.

Learned counsel appearing on behalf of the petitioner has argued that over and above a baseless suspicion that the petitioner might have conspired, there is no material against him. He has further submitted that had there been any intention of the petitioner to get the deceased killed, he would not have allowed Bibhishan Yadav to become an eye-witness of the occurrence. Motive behind such allegation is also absent.

Learned counsel appearing on behalf of the informant, on the other hand, has vehemently opposed the prayer for bail and has submitted that the circumstances suggest that the petitioner played a crucial role leading to the occurrence and he appears to have conspired in killing of the deceased.

On perusal of the First Information Report and the



case diary, I am of the view that over and above suspicion of the nature as noted above, no incriminating material has been collected during course of investigation to implicate the petitioner for the offence alleged. The petitioner is in custody since 27.03.2021.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, as noted above, a case for grant of regular bail is made out. This application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate 1st Class, Munger, in Sangrampur P.S. Case No. 88 of 2020.

(Chakradhari Sharan Singh, J)

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