

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41556 of 2022

Arising Out of PS. Case No.-318 Year-2022 Thana- ARA NAWADA District- Bhojpur

Ranjan Kumar, Son of Dhanu Saw, Resident of Village - Abhaypura, Police
Station - Sandesh, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Smita Prasad, Advocate Mr. Subodh Kumar Barnawal, Advocate
For the Opposite Party/s	:	Mr.Uday Pratap Singh,APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 04-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Ara Nawada P.S. Case No. 318 of 2022 registered
for the alleged offences under Sections 399 and 402 of the Indian
Penal Code and Sections 25(1-b)2, 26 and 35 of the Arms Act.

As per prosecution case, a raid was conducted for
apprehension of co-accused persons of some other case and during
raid at an identified place, six youths were found in a room of a
flat including this petitioner. From the room, two country made
pistol with two live cartridges and four spent bullet were recovered
apart from mobile phones, broken locks, number of keys of



motorcycle, rear view mirror and some cash.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to high handedness of the police. The petitioner is a student and he has no concern with the place of occurrence or from where recovery is said to be made. Learned counsel further submits that nothing incriminating has been recovered from the possession of this petitioner and allegations against him are quite, vague and composite. No recovery has been made from this petitioner and whatever has been recovered, the petitioner has got no concern with it. Learned counsel further submits that informant along with his associates arrested the petitioner and others showing recovery of illegal arms which is high handedness of the police. Charge sheet has been submitted in this case and the petitioner is in custody since 22.04.2022. The petitioner has got clean antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and further considering the nature of allegation against him and also considering the submission of charge sheet along with period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.



20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 318 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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