

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41716 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- NIMACHANDPURA District- Begusarai

Raja Kumar Son of Mantun Singh Resident of Village - Ganga Prasad,
Amarpur, P.s.- Barauni, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43334 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- NIMACHANDPURA District- Begusarai

Ranjit Mahto S/O Nand Lal Mahto R/o Village- Ganga Prasad Ward No. 16,
P.S.- Barauni (Chakiya O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41716 of 2022)

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.A.G., APP

(In CRIMINAL MISCELLANEOUS No. 43334 of 2022)

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-11-2022 As both the criminal miscellaneous petitions have arisen out of same P.S. case, hence they are being decided together by a common order.

The learned counsels for the petitioners are directed to remove all the defects pointed out by the Stamp Reporter within one month.



Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Neemachandpura P.S. Case No. 69 of 2021 registered for the offences punishable under Sections 147, 148, 149, 452 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant has alleged that the petitioners along with 10-12 persons surrounded the house of the informant and opened fire at the house's doors and windows and in the alleged firing the informant's daughter sustained fire-arm injury at her thigh.

The main submissions advanced by the learned counsel Mr. Shubhesh Pandey for the petitioner Raja Kumar are that the petitioner has no criminal antecedent but simultaneously he was made accused in the present matter after his name surfaced in Neemachandpura P.S. Case No. 70 of 2022 in which the Court below granted bail to the petitioner and he is not named in the FIR and several named accused persons namely Ravikant Kumar, Kanhaiya Kumar @ Kanhaiya Jee, Kanhaiya Kumar, Manjit Kumar Singh @ Mithu Singh @ Manjit Singh, Deepak Kumar and Nitish Kumar have been granted bail by this Bench as well as Co-ordinate Benches of this Court vide orders



passed in Cr. Misc. No. 13693 of 2022, Cr. Misc. No. 13477 of 2022, Cr. Misc. No. 15884 of 2022, Cr. Misc. No. 23519 of 2022, Cr. Misc. No. 20303 of 2022 and 22533 of 2022 respectively and the petitioner has been languishing in jail since 24.08.2021 and the investigation has been completed against him.

The main submissions advanced by the learned counsel Mr. Rajesh Kumar Sinha for the petitioner Ranjit Mahto are that the petitioner is also not named in the FIR and has been languishing in jail since 01.09.2021 and there is no specific allegation against him.

Learned APP Ms. Sangeeta Sharma appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly taking into account the custody of the petitioners and also the facts that both the petitioners are not named in the FIR and some named co-accused persons have been granted bail by this Bench as well as Co-ordinate Benches of this Court and several persons were alleged to have committed the alleged occurrence, in the opinion of this Court both the petitioners deserve to the same privilege which has been granted to above-mentioned co-accused persons, accordingly let the petitioners be released on



bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Neemachandpura P.S. Case No. 69 of 2021.

(Shailendra Singh, J.)

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