

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56011 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- KHAGAUL District- Patna

Ranjan Paswan, S/o Ramchandra Paswan, R/o Village- Kalyanpur, P.O. Chak
Sikandar, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rina Sinha, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

10 07-11-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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 Khagaul P.S. Case No. 183 of 2020 registered for the
alleged offences under Sections 364, 302, 201, 120B and 34 of the
Indian Penal Code.

As per prosecution case, the brother of the informant
accompanied the co-accused Pankaj Kumar and thereafter he went
missing. Later on, on query of the informant, the co-accused Pankaj
Kumar disclosed that he along with this petitioner and another co-
accused Bablu Kumar threw the brother of the informant in river
Ganga. The occurrence took place in the background of illicit
relationship of the wife of the deceased with the co-accused Pankaj
Kumar.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Allegation against this petitioner is without any substance. The allegation of the petitioner is based on confessional statement of co-accused Pankaj Kumar. No one has seen the occurrence and nothing incriminating has been recovered from the possession of this petitioner. It is also not clear whether the brother of the informant has died or not as the dead body was not recovered. Learned counsel further submits that this petitioner is in custody for more than two years as he is in custody since 08.10.2020 and the charge-sheet has been submitted in this case. Learned counsel, however, concedes that the prayer for bail of the co-accused persons, namely Pankaj Kumar and Bablu Kumar have been rejected by a Co-ordinate Bench of this Court vide order dated 22.02.2022 and 25.01.2022 passed in Cr. Misc. No. 64068 of 2021 and 36240 of 2021, respectively. But, co-accused Archana Kumari has been granted bail by the same order in Cr. Misc. No. 64068 of 2021.

Learned APP opposes the prayer for bail submitting that the petitioner was named by the co-accused and other co-accused persons have been denied bail by a Co-ordinate Bench.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that nothing of substance came up against this petitioner during



investigation on record to connect this petitioner with the offence as alleged and further considering the period of custody of the petitioner along with submission of charge-sheet, 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 Additional Chief Judicial Magistrate-VI, Danapur, Patna in connection with Khagaul P.S. Case No. 183 of 2020, 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)

balmukund/-

U		T	
---	--	---	--

