

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62902 of 2021

Arising Out of PS. Case No.-118 Year-2013 Thana- CHHATAUNI District- East Champaran

Ranjit Kumar, S/O Kailash Bhagat, R/O Village-Bhikanpura, P.S-Ahiyapur,
District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 22-08-2022 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 from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Chhatauni P.S. Case No. 118 of 2013 registered for the alleged offences under Sections 394 IPC and later on added under Section 395, 397 and 412 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, two miscreants fired upon the informant and snatched his bag containing 100 gms of gold jewellery, 3 kg of silver jewelry and case of Rs. 20,000/- along with passbook. Later on, the name of the petitioner transpired as



one of the co-accused.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case as he was not named in the FIR and nothing incriminating has been found from his conscious possession. The name of the petitioner came up during investigation in the confessional statement of co-accused Rajesh Kumar and there is no material against this petitioner collected during whole of investigation and no Test Identification Parade has been conducted. The petitioner is in custody since 15.07.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the name of the petitioner transpired during investigation and he is a habitual offender and four cases are pending against him.

Perused the records.

Having regard to the submissions made on behalf of the parties and considering the fact that the nothing incriminating has been recovered at the instance of the petitioner and further considering the period of his custody along with submission of charge-sheet in this case, 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, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 118 of 2013, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be Kailash Bhagat, father of the petitioner, who has sworn the affidavit in this case.

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

(iv) 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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