

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64739 of 2021

Arising Out of PS. Case No.-333 Year-2020 Thana- KHARHAGPUR District- Munger

Ravi Ranjan Kumar @ Chhotu Kumar, S/O Abodh Kumar Sah @ Abodhi Sah
Resident Of Village - Singhpur, P.S. - Haveli Kharagpur, District - Munger.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Meena Singh
		Mr. Bhaskar Shankar
		Mr. Rakesh Singh
For the Opposite Party/s :		Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 354(B), 323, 341, 342/ 34 of the Indian Penal Code, Section 8 of the POCSO Act and Sections 25(1-b)a, 26(i)(ii), 35 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 24.08.2021, charge-sheet has been submitted in the case and has antecedent of one case.

The learned counsel for the petitioner submits that the informant alleges that on 06.12.2020, while she was waiting for her father, who had gone to the forest for cutting wood, when three accused came and started molesting the informant on point



of gun, but she raised alarm, on which the accused persons fled away, but one accused Amarjeet Kumar was caught by the villagers from whose possession, a loaded country-made pistol along with 11 cartridges were recovered and he was handed over to the police and Amarjeet Kumar disclosed the name of the petitioner and one Pravesh Kumar Sah, who had fled.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the petitioner was not apprehended from the place of occurrence rather his name came in the confessional statement of Amarjeet Kumar from whom, arms and cartridges as alleged were recovered by the villagers. It is further submitted that from bare perusal of the statement of the victim recorded under Section 164 of the Cr.P.C., it would manifest that the allegation as alleged in the F.I.R. completely differs from her statement made under Section 164 of the Cr.P.C. wherein she has stated that three accused came, hit her, caught her hand and head and abused and thereafter, it is alleged that she became unconscious and fell in a ditch whereas in the F.I.R., no such allegation is alleged.

The learned A.P.P. for the State opposes the bail application.



Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kharagpur P. S. Case No.333 of 2020, subject to condition that one of the bailors shall be the father of the petitioner namely, Abodh Kumar Sah @ Abodhi Sah.

The application stands allowed.

(Satyavrat Verma, J)

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