

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71042 of 2021

Arising Out of PS. Case No.-133 Year-2016 Thana- KHIJARSARAI District- Gaya

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Ranjan Kumar @ Motka @ Ranjan Kumar Yadav, S/O Manoj Kumar, R/O
Village- Dewariya, P.S. And Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 09-11-2022 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 Khizersarai P.S. Case No. 133 of 2016
registered for the alleged offences under Section 392 of the
Indian Penal Code.

As per prosecution case, the *Hyva* vehicle of the
informant was hijacked by four miscreants who also took away
mobile phones of the staff of the informant. The name of the
petitioner transpired as an accused during investigation.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this

case merely on suspicion. Nothing incriminating has been recovered from his person or possession. The petitioner is not named in the F.I.R. and no Test Identification Parade has been carried out till date. He has been made accused only on the basis of confessional statement of co-accused persons. Similarly placed co-accused persons have been granted bail vide order dated 17.07.2018 passed in Cr. Misc. No. 35073 of 2018 and vide order dated 24.09.2020 passed in Cr. Misc. No. 24822 of 2020 by different Coordinate Benches respectively. Charge sheet has been submitted in this case and the petitioner is in custody since 19.12.2020.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is accused in nine such cases of similar nature.

Having regard to the facts and circumstances and submission made on behalf of the parties and 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-IV, Gaya in connection with Khizersarai P.S. Case No. 133 of 2016,

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)

Gautam/daya

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