

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71718 of 2021

Arising Out of PS. Case No.-605 Year-2020 Thana- SONEPUR District- Saran

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RANJAN KUMAR S/o- Late Santlal Ray Resident of Village - Manpur, P.S. -
Sonpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 27-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Sonpur P.S. Case No. 605 of 2020 for the offences under
Sections 302/34of the Indian Penal Code and Section 27 of the
Arms Act.

The aforesaid case came to be registered and the
allegation made by the informant is that he got information that
some unknown persons have shot at his son near the temple.
Upon reaching there, he was informed that the injured has been
shifted to Sadar Hospital, Chapra and when he reached the said
hospital, he got knowledge that his son has died.

The FIR was lodged against unknown persons and



subsequently the name of the accused persons cropped up in course of investigation, the petitioner being one of them.

As such case diary was called for on 26/05/2022.

Learned Counsel for the petitioner submits that his name has cropped up on the confessional statement of accused Akash Kumar @ Akash Rai on whose residence the alleged revolver was recovered/seized. He further submits that he has no role to play in the matter and is in jail since 01.10.2021 (as stated in paragraph-14 of the bail application). He further submits that similarly situated co-accused person, namely, Rakesh Sah, whose name had also come on the basis of the confessional statement of the co-accused Akash Kumar @ Akash Rai, has since been released on bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 15410 of 2021 disposed of on 23.07.2021.

Let the same be kept on record.

Learned counsel for the petitioner lastly submits that charge sheet stands submitted against him under Sections 302/34 of the Indian Penal Code and as such he now be released on bail.

Taking into account the aforesaid facts that the petitioner was not named in the FIR, his name has cropped up in



course of investigation on the confessional statement of accused Akash Kumar @ Akash Rai, charge sheet stands submitted, he is in jail since 01.10.2021 and one of the similarly placed co-accused, namely, Rakesh Sah has since been granted the privilege of bail, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra at Saran in connection with Sonpur P.S. Case No. 605 of 2020, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which



the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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