

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8863 of 2023

Arising Out of PS. Case No.-312 Year-2018 Thana- JANDAHA District- Vaishali

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RANJIT RAM @ GUDDU RAM, S/o Santlal Ram R/o Village- Shubhai
(Langa Shubhai), P.S.- Hajipur Sadar, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 20.08.2022, in connection with Jandaha P.S. Case No. 312 of 2018, F.I.R. dated 31.12.2018, registered for the offences punishable under Section 302/394 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case, in short, is that two miscreants on a motorcycle came at the shop of the informant and on the point of gun looted away galla (cash box) and opened fire upon informant's staff, namely, Pankaj Kumar. He was taken to the Hospital but on the way he died.

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



present case. He further submits that the petitioner is not named in the FIR and the name of the petitioner transpired on the basis of confessional statement of co-accused person, namely, Rahul Kumar. He further submits that except the confessional statement of co-accused, no cogent material is available to suggest the informant of the petitioner in the present crime and the co-accused person, namely, Rahul has already been granted bail by a Coordinate Bench of this Court vide order dated 19.09.2019 passed in Cr. Misc. No. 38559 of 2019, Prince Kumar @ Chandan has already been granted bail vide order dated 23.07.2019 passed in Cr. Misc. No. 45466 of 2019 and Sumit Kumar @ Raja has already been granted bail vide order dated 20.05.2019 passed in Cr. Misc. No.33264 of 2019 and the petitioner has remanded in the present case on 20.08.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries four more cases other than the present one but fairly submits from paragraph-3 of the petition that the petitioner is on bail in all the four cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Vaishali at Hajipur, in connection with Jandaha P.S. Case No. 312 of 2018, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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