

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17675 of 2023

Arising Out of PS. Case No.-779 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

MARANDI @ MANORANJAN @ RITIK KUMAR @ RITIK SHARMA
Son of Late Babulal Sharma R/v- Tirvirawan, P.S.- Gopalganj Town, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-07-2023 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P. for the State.

The petitioner seeks bail in connection with Gopalganj
Town P.S. Case No. 779 of 2022 dated 23.09.2022 for the offence
under Sections 302, 201, 120(B) of the Indian Penal Code.

The petitioner along with others are alleged to have
committed murder of the brother of the informant after hatching
the conspiracy.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner has not been
named in the F.I.R. but on the basis of subsequent statement of
the informant which was recorded in paragraph-2 of the case
diary and thereafter self confessional statement of the petitioner



which was recorded in the paragraph-35 of the case diary, he has been implicated in this case. He further submits that the informant claims to be the eye witness to the alleged occurrence but he did not disclose the name of the petitioner initially but implication of petitioner in this case is an afterthought of the informant. He further submits that the informant is not the eye witness in this case but merely on the basis of suspicion, petitioner has been implicated in the present case. No other cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that co-accused, Govind Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dated 20.06.2023 passed in Cr. Misc. No. 3668 of 2023. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 30.09.2022.

Learned counsel for the informant as well as learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has active participation along with other accused persons in the alleged occurrence. He further submits that apart from this case, he carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 779 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

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 antecedent, 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)

brajesh/-

U		T	
---	--	---	--

