

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14940 of 2023**

Arising Out of PS. Case No.-248 Year-2021 Thana- MAJORGANJ District- Sitamarhi

RAVI RANJAN SINGH Son of Shankar Singh R/V- Kuari Madan, P.S-
Majorganj, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 23-05-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with Majorganj P.S. Case No 248 of 2021 for the offence under Sections 302, 120B and 34 of the I.P.C. and 27 of Arms Act lodged on 19.12.2021 by the informant Rabindra Mahto.

The prosecution story, in brief, is that Ravindra Mahto Son of Late Tapeswar Mahto, alleged that the informant are four full brothers. His elder brother, Ram Sagar Mahto about some years ago deceitfully got 150 decimals of land registered in his name from the parentage landed property. It is further alleged that unknown miscreant came and took his father on a vehicle on the pretext of some work and on way three accuseds



committed murder. They also took away motorcycle of informant's father bearing registration No. BR-30V/9135. It is further alleged that one empty cartridge and one bullet were recovered near River Bridge. He alleged that this fact of transfer of land had come to their father's knowledge and he was asked him to return the land to his brothers as per their share, due to which Ram Sagar Mahto used to threatened his father Tapeswar Mahto. He thus alleged that on 18-12-2021, a conspiracy was hatched and the murder was committed with the help of unknown criminals, in which the suspected involvement of his brother, Ram Sagar Mahto, Pan Devi W/o Ram Sagar Mahto as also their sons namely Manish Kumar and Anish Kumar. It is further alleged that unknown miscreant came and took the father on his vehicle under the pretext of some work where three miscreants were waiting on the Bridge of Harsakri River and they committed murder by opening fire killing him.

It is further alleged that one empty cartridge and one bullet were recovered near River Bridge.

It has been contended by the learned counsel for the petitioner that there is no eye witness to the present occurrence and further, during investigation his name has cropped up, although the allegation of killing is not attributed to him.



Further, the brother of the informant namely, Ram Sagar Mahto in Cr. Misc. No 25533 of 2022 has been granted the privilege of anticipatory bail on 28.06.2022 by a co-ordinate Bench of this Court.

Learned APP opposes the prayer stating that his name has come during the investigation.

Considering the fact that the petitioner do not have criminal antecedent and as per the learned counsel for the petitioner, the role of alleged killing has not been attributed to him, one of the co-accused Ram Sagar Mahto has been granted anticipatory bail, as staed above, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Sitamarhi/Concerned Court, in connection with Majorganj P.S. Case No 248 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. 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 reason will entail cancellation of his bail bond by the Trial Court itself;

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

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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