

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19305 of 2023

Arising Out of PS. Case No.-268 Year-2021 Thana- DHAMDAHA District- Purnia

Ranjan Mandal @ Ranjan Kumar S/O Raj Kumar Mandal R/O Villeg-
Makdampur, P.S-Puraini, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
01.09.2022 in connection with Dhamdaha P.S. Case No. 268 of
2021, F.I.R. dated 27.11.2021 for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

According to prosecution case, as per F.I.R. allegation
against the petitioner is that he, being a contract killer, had fired
upon the deceased Bablu Ray and murdered him along with co-
accused Kundan Kumar, Roshan Kumar Paswan @ Roshan
Kumar, Bambam Kumar Mehta and Nitish Kumar. The
informant Gopal Ray, who was the brother of deceased, had
given the “Supari”/Contract for the murder of deceased as the
deceased brother always used to harass the informant and had



even tried to kill him earlier.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused namely, Kundan Kumar. He further submits that it has come during investigation in para-80 of the case diary that the petitioner has talk with Kundan Kumar before the alleged date of occurrence and except the aforesaid no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 01.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedent other than the present one and the petitioner is on bail in all the cases.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned 5th Additional Sessions Judge, Purnea in connection with Dhamdaha P.S. Case No. 268 of 2021, 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 witnesses, 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 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)

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