

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19890 of 2023

Arising Out of PS. Case No.-341 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

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Ranjan Kumar, aged about 25 years, (M), son of Raj Kumar Mandal, resident
of village- Makdampur Tarnibasa, P.S.- Puraini, District- Madhepura
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Udakishunganj PS Case No.341 of 2021 dated 20.11.2021,
instituted for the offence punishable under Section 394 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the informant
is working as Collection Agent in Mahindra Finance Company
and on the date of occurrence while he was returning home on
motorcycle and reached near village Laxipur Panchgachia Tola,
three persons came on two motorcycles and tried to overtake the
motorcycle of the informant. When he did not stop his
motorcycle, one person fired upon him from back which passed



through his right side of chest due to which he fell down. Then all the miscreants came near him and took away the collected amount i.e., Rs.36,400/- from the informant and also took the collection slip. With the help of the villagers, the petitioner was brought to Primary Health Center where after getting treatment he went to the Police Station and lodged the FIR.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. He has been implicated in this case only on the basis of confessional statement of co-accused Md. Azhar. Nothing has been recovered from the possession of the petitioner and Test Identification Parade has not been conducted by the police till date. It is further submitted that similarly situated co-accused, Ravi Singh, has been granted bail by a co-ordinate Bench of this Court by order dated 19.05.2023 passed in Cr. Misc. No.19647 of 2023. Five criminal cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM, Udakishunganj,



Madhepura, in Udakishunganj PS Case No.341 of 2021, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

(Khatim Reza, J)

J. Alam/-

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