

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21954 of 2023

Arising Out of PS. Case No.-97 Year-2021 Thana- BIKRAM District- Patna

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RANJIT YADAV @ RANJIT KUMAR SON OF BIJENDRA YADAV
RESIDENT OF VILLAGE - NAGAHAR, P.S. - BIKRAM, DISTT. - PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Sessions Trial No. 712 of 2021 arising out of Bikram P.S. Case

No. 97 of 2021 dated 04.06.2021 registered for the offence

under Sections 302/34 of the Indian Penal Code.

Earlier the prayer for bail of this petitioner has

been rejected by this Court vide order dated 25.04.2022

passed in Cr. Misc. No. 60805 of 2021 and this is the second

occasion seeking bail on behalf of the petitioner on the

ground that co-accused of this case has been granted bail by

a co-ordinate Bench of this Court.

The husband of the informant is alleged to have



been murdered by the petitioner and his associates.

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., however, his name transpired in this case on the basis of confessional statement of the co-accused, Babloo Yadav and Biru Kumar @ Lalu Kumar who have been arrested by the police during course of investigation. Moreover, the co-accused, namely, Babloo Yadav and Biru Kumar @ Lalu Kumar have already been granted bail by a co-ordinate Bench of this Court vide order dated 17.01.2023 and 31.01.2023 passed in Cr. Misc. No. 60212 of 2022 and Cr. Misc. No. 56901 of 2022 respectively and the case of this petitioner stands on better footing. The petitioner is rotting in judicial custody since 06.08.2021.

A report with regard to present stage of the trial has been called for by this Court vide order dated 05.04.2023 which has been received and forms part of this application at Flag-'P'. On perusal thereof, it would reveal that out of seven witnesses, one witness has been examined by the prosecution till date and the case is fixed for



prosecution evidence.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future as there appears to be no substantial progress in the trial and the petitioner is languishing in judicial custody since 06.08.2021 i.e more than one and half year.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case and the fact that the co-accused have been granted bail and also the present stage of the trial 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 Additional Sessions Judge-V, Danapur in connection with Sessions Trial No. 712 of 2021 arising out of Bikram P.S. Case No. 97 of 2021 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)

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