

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33029 of 2022

Arising Out of PS. Case No.-107 Year-2019 Thana- MOUZAHDIPUR District- Bhagalpur

Ranjeet Sah @ Ranjeet Kumar Sah Son Of Late Ram Sah Resident Of
Village- Maheshpur, P.S.- Babarganj, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Prasad
For the Opposite Party/s	:	Mr. Nand Kishore Prasad
For the Informant	:	Mr. Gajanan Mishra, Adv
	:	Mr. Shashwat, Adv
	:	Mr. Sachin, Adv

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 23-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Mojahidpur (Babarganj) P.S. Case No. 107 of 2019,
registered for the offences punishable under Sections 307,
457, 326A, 341, 354, 380, 459, 302/34 of the Indian
Penal Code, Sections 25(i)b A/26, 35 of the Arms Act and
Section 12 of the POCSO Act.

The prosecution case as emerges from the FIR is
that one Prince Kumar along with his associate threw acid on
the body of informant's daughter, due to which she



sustained injury.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that even as per the statement of alleged victim girl as recorded under Section 164 Cr.P.C, the petitioner is not direct assailant and petitioner name has been taken by the alleged victim in her statement by way of suspicion. Moreover, petitioner has cleared Railway Examination and he is required to undergo Medical Examination for joining the service and in case he is not allowed to join the service, his career will get spoilt.

He further submits that the petitioner has been languishing in jail since 15.08.2021.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.



Considering the aforesaid facts and circumstances, particularly Medical Examination for Railway Service, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Judge, POCSO Act-cum-Addl. District and Sessions Judge-VI, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 107 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police



officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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