

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33905 of 2023

Arising Out of PS. Case No.-92 Year-2010 Thana- CHHATAUNI District- East Champaran

RANJAY SINGH @ RANJAN SINGH Son of Late Firangi Singh Resident of
village - Patkhauri, P.S.- Patkhauri, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Chhatauni P.S. Case No.92 of 2010 instituted under Sections 302,120(B) of the IPC and Section 27 of the Arms Act lodged on 22.09.2010 by the informant Sumit Kumar Verma.

The prosecution case, in short, is that on 22.09.2010 a written report was submitted alleging against accuseds (1) Kameshwar Prasad, (2) Ashutosh Kumar @ Guddu, (3) Arbind Kumar @ Pappu and two unknown persons that as he was going to his residence with his father, Shiv Kumar Verma for purchasing vegetables from Kachahari Chowk, Motihari on 22.09.2010 at 08:15 p.m. and as they came near the house of Sitaram Paswan at Chhota Bariyarpur and went to ease near the road side, Kameshwar Prasad exhorted Ashutosh Kumar



@Guddu to kill to the father of the informant whereafter Ashutosh Kumar @ Guddu fired indiscriminately upon the father of the informant along with two other persons, who too had came on motorcycle. They later escaped. His father died on the spot. Accordingly, the FIR.

Learned counsel for the petitioner submits that his name has been dragged in the case and the police has taken extra judicial confession and further that he was granted the privilege of anticipatory bail in Cr. Misc. No.16662 of 2011 (Annexure-1 of the petition) but could not furnish the bail bond as he was remanded in a different case. He further submits that is in custody since 28.07.2021 (as stated in para-11 of the petition).

Learned APP opposes the prayer but concede that earlier he was granted anticipatory bail.

Considering the aforesaid facts as also the period of custody and ultimately will have to face the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Chhatauni P.S. Case No.92 of 2010 to the satisfaction of learned Additional



District & Sessions Judge,22, Motihari, East Champaran,
subject to following conditions:

(i) one of the bailor should be the family member of
the petitioner who shall provide official document to show his
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 month for next one year to mark 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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