

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39891 of 2023

Arising Out of PS. Case No.-93 Year-2017 Thana- HALSI District- Lakhisarai

Ranjit Vishwakarma @ Ranjeet Bishwakarma S/O- Bundi Bishwkarma R/O-
At And P.O. Premdiha, P.S.- Halsi, Dist. Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sita Ram Prasad, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-07-2023

1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Halsi P.S. Case No. 93 of 2017, dated 10.10.2017 registered for
the offences punishable under Sections 387, 307, 153, 153(A)
and 120(B) of the Indian Penal Code.

3. The main submissions advanced by petitioner's
counsel are that as per allegation made in the FIR, the alleged
occurrence took place on 09.10.2017 and at that time the
petitioner was admittedly in jail. So he had no occasion to
conspire with other co-accused persons who were on bail and
against the petitioner there is no direct evidence and the
informant simply raised suspicion and he is the *Ex-Mukhiya* of
petitioner's *gram panchayat* and the alleged offences of the FIR



are not applicable against this petitioner and the same are also not made out and several co-accused persons Sunil Kumar @ Sunil Yadav, Dharambeer Viskarma @ Dharambir Bishwakarma @ Dharamveer Vishvakarma, Chandan Kumar @ Chandan Yadav and Nitish Kumar have been granted bail by this Bench and different Benches of this Court vide orders passed in Cr. Misc. Nos.8577 of 2018, 15028 of 2023, 9072 of 2018 and 10054 of 2018 respectively. Further submissions are that the petitioner has been languishing in jail since 23.11.2022 in the present matter without any material and evidence but merely on the basis of suspicion raised by the informant.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly the facts that admittedly the petitioner was in judicial custody when the alleged occurrence took place and the informant simply raised suspicion against him and the above-mentioned co-accused persons are on bail and also taking into account petitioner's custody period, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged 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 concerned Court in connection with Halsi P.S.
Case No. 93 of 2017 on the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of his bail.

(iii) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J.)

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