

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.38431 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- DEWARIA District- Muzaffarpur

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Ranjeet Ram @ Ranjeet Kumar @ Mani Raj Son of Nagendra Ram Resident
of village - Ramchandrapur, P.S.- Deoriya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

- 2 28-07-2023 1. Heard the learned counsel for the
petitioner and learned APP for the State.
2. This is an application for grant of
anticipatory bail in connection with Deoriya P.S.
Case No.51 of 2023, registered for offences under
Sections 399, 402, 414/34 of the IPC and 25(1-b) a,
26, 36 of the Arms Act.
3. The allegation is regarding the police
having received information that four miscreants



were planning to commit some serious offence and when the police personnel had arrived at the alleged place of occurrence, one of the miscreants was apprehended, however, rest of them managed to flee away, and on search of the said apprehended person, one loaded country made pistol was recovered. It is also alleged that upon interrogation, the said apprehended accused person had disclosed the name of his accomplices, including that of the petitioner.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that neither any arms have been recovered from the conscious oppression of the petitioner nor the petitioner has been apprehended from the spot, and his name has transpired in the present case, merely upon the confessional statement made by the co-accused person, which has got no evidentiary value in the eyes of law.



5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been apprehended from the spot nor any arms have been recovered from his possession, apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, (West) Muzaffapur, in



connection with Deoriya P.S. Case No.51 of 2023,
subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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