

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44178 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- SULTANGANJ District- Bhagalpur

RANJEET YADAV @ KANBUCHCHA YADAV Son of Late Bhagwan
Yadav Resident of village - New Shri Ghat, P.S. - Sultanganj, Dist. -
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 326, 307, 120B/34 of
the Indian Penal Code and Sections 25(1-b)a, 26 and 27 of the
Arms Act.

3. As per prosecution case, the informant was sitting
on his shop situated in front of his house, in the meantime two
unknown boys came on a motorcycle and asked the informant's
father about the way to go Bhagalpur, upon which informant's
father explaining them the way, meanwhile, pillion rider fired
from his pistol upon the informant's father, due to which he
sustained injury. It is further alleged that on hearing of firing



sound nearby people gathered and one miscreant has caught and disclosed his name as co-accused Prashant Kumar Mandal and on search, there has been recovery of one country-made pistol and two live cartridges from him.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. There was admitted political rivalry between the parties. According to prosecution case, two unknown persons fired upon the informant's father, due to which he sustained injury and one person apprehended, who disclosed his name as Prashant Kumar Mandal and from him one country-made pistol and two live cartridges have recovered. There is no specific overt act against the petitioner and there is only allegation of criminal conspiracy to commit this offence against the petitioner and nothing more. Nothing incriminating articles have been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 10.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as



period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Sultanganj P.S. Case No. 115 of 2023.

(Sunil Kumar Panwar, J)

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