

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47262 of 2023**

Arising Out of PS. Case No.-243 Year-2023 Thana- BIHAR District-
Nalanda

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RANJIT KUMAR SON OF KRISHNA YADAV RESIDENT OF VILLAGE-
GADHPER, PS- BIHAR, DISTT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-10-2023 Heard Mr Sanjay Kumar, learned counsel for the

petitioner and Mr. Raj Ballabh Singh, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bihar P.S. Case No. 243 of 2023 registered for the offence
under Sections 341, 323, 427, 307, 385, 504, 379 and 506/34 of
the Indian Penal Code.

The petitioner is alleged to have abused and assaulted
the informant and demanded ransom of Rs. 1,00000/-

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case due to land dispute. He further submits that due to
admitted land dispute, present occurrence has taken place. He
further submits that the allegation, as alleged in the F.I.R., is false
and fabricated and the petitioner has not committed any offence.



He further submits that on bare perusal of the F.I.R., it appears that the petitioner has assaulted the informant but no injury report is available on record to suggest that the informant has received any injury caused by the petitioner.

Learned counsel for the informant and learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner that he has assaulted the informant and number of witnesses have supported the case of the prosecution. Apart from that the petitioner carries one more case other than the present one and he fairly submits that no injury report is available on record to support the allegation levelled against the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif (Nalanda) in connection with Bihar P.S. Case No. 243 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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