

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52937 of 2022

Arising Out of PS. Case No.-843 Year-2020 Thana- KUDHNI District- Muzaffarpur

Ranjit Sah, aged about 40 years, Son of Kailash Sah R/O Village- Shahpur
Bujurg, P.S.- Patehpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Kudhani P.S. Case No. 843 of 2020 registered for the offence punishable under Sections 302, 394, 120 (B) of the Indian Penal Code (for brevity 'IPC') and 27 of the Arms Act.

The informant's brother while returning home, after closing his shop has been intercepted and looted of the sale proceeds of the day (5-6 lakhs Rupees). His motor-cycle has also been taken away. The said brother has also received gun shot injury which had led to his death.

It is submitted by learned counsel for the petitioner that First Information Report (for brevity F.I.R.) is against unknown persons. The petitioner's name has been stated by co-accused, Amarjeet Kumar, who has been allowed bail in Cr. Misc No. 41640 of 2021. While allowing the bail to co-accused, this Court has considered the material in the investigation that firing has been attributed to co-



accused Pappu Kumar.

It is also submitted that there is no recovery from the petitioner so as to connect him with the alleged occurrence. He has one criminal antecedent in Mushahari P.S. Case No. 118 of 2021.

The petitioner is in custody in connection with this case since 13.08.2021.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of petitioner's implication, the fact that no recovery has been attributed from him, the period of custody and maintaining parity with co-accused Amarjeet Kumar, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, 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 the learned Judicial Magistrate, Ist Class, West, Muzaffarpur, in connection with P.S. Case No. 843 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is



called upon to do so by the office.

(Madhuresh Prasad, J)

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