

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56961 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Ranjeet Chaurasiya @ Randhir Kumar S/o Binodanand Prasad, Resident of
village- Bajitpur (Sahit), P.S.- Vidyapati Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Adv.
For the State	:	Mr. Sanjay Kumar Singh, APP.
For the Informant	:	Mr. Pramod Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks regular bail in connection with
Mohiuddin Nagar P.S. Case No. 86 of 2022, lodged under
Sections 302, 120(B), 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

As per prosecution case, there is direct allegation
against Rajneesh Rai. The allegation against the petitioner and
one Kapildev Rai is that they both have fired on the chest of the
deceased, due to which he died on spot.

Learned counsel for the petitioner submits that from



minute reading of the F.I.R., it transpires that the informant has not seen the occurrence because in the initial line itself, the informant disclosed that her husband went to the house of Sambhu Rai for delivering the milk, whereas the informant was at the house. He further submits that vide Annexure-2 series and Annexure-3, it transpires that it is the petitioner who need protection of his properties at the hand of accused Arun Singh and his gang. From Annexure-3, it transpires that in this regard a letter was also handed over to the Superintendent of Police. He also submits that the deceased himself belongs to a gang of criminals and there may be a dispute with other persons. Learned counsel submits that there are 3 criminal cases pending against the petitioner and all the 3 cases were filed by Arun Singh and his associates except those for which he has sent series of petitions to the authorities his antecedent is clean, he is in custody since 01.05.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there are direct allegation as per the F.I.R. that the deceased died due to gun



shot made by Ranjeet Chaurasiya (present petitioner) and Kapildev Rai.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application stands rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and the trial court upon move for bail after framing of charge shall release him on bail, imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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