

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69513 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- ISHIPUR District- Bhagalpur

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RANJIT KUMAR @ RANJIT MAHTO Son of Sadhu Mahto Resident of
village - Kisnichak, P.S.- Ishipur (Barahat), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Ishipur
(Barahat) P.S. Case No. 41 of 2022 dated 19.05.2022 registered
for the offence under Sections 302, 504, 506 and 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

The petitioner and others are alleged to have killed the
son of the informant by inflicting gun shot injury to him.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the. F.I.R., is false and fabricated as the
petitioner has falsely been implicated in this case on the basis of
suspicion only. He further submits that there is no eye witness to



the alleged occurrence and the postmortem report also does not support the allegation leveled against the petitioner in the F.I.R. as it is opined by the doctor, who conducted the postmortem, that only one gun shot injury has been found on the person of the deceased. He further submits that it is not specific that as to who has inflicted gun shot injury to the deceased. The petitioner has not played any role in the alleged occurrence. No cogent material has surfaced against the petitioner during course of investigation suggesting his involvement in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 04.06.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Additional Sessions Judge-XI, Bhagalpur in connection with Ishipur (Barahat) P.S. Case No. 41 of 2022 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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