

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67733 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- FORBESGANJ District- Araria

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Ranjan Kumar Sah @ Ranjan Sah @ Ranjan Kumar S/O Sita Ram Sah @
Seetaram Sah R/O Village- Miyan Hat, Majhuwa, Chaura Parwaha, Ward No-
09, P.S- Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 394 of the Indian Penal Code
and Section 27 of the Arms Act.

According to prosecution case, when the informant
was returning to his house on his motorcycle, two persons came
and intercepted him and one of the unknown person on the point
of pistol snatched Rs. 30,000/- and other valuables. It is further
alleged that in course of robbery some scuffle took place and



thereupon one of them fired on his left thigh due to which he fell down, thereafter, the accused persons fled away.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused person, namely, Deepak Mandal. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that till date no T.I.P. has been conducted by the prosecution. He further submits that except the confessional statement of the co-accused, no other cogent material has come during investigation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Deepak Mandal @ Deepak Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 14.02.2023 passed in Cr. Misc. No. 52477 of 2022. The petitioner is in custody since 28.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 10 criminal antecedents other than



the present one.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Forbesganj P.S. Case No. 17 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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