

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4822 of 2024

Arising Out of PS. Case No.-132 Year-2022 Thana- MARANCHI District- Patna

Ranjay Bind @ Ranjit Singh Son of Late Asharfi Bind Resident of Village -
Janjira Diyara, Dumra, P.S. - Maranchi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 01-04-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Maranchi P.S. Case No. 132 of 2022 instituted for the offences under Sections 147, 148, 149, 323, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the police, on receipt of secret information regarding incident of firing between the criminals Ranjay Bind (petitioner) and Vikko Nishad, reached near Dumara, Janjira Diyara but, due to fear, no one stated anything about the occurrence. It has further been stated that the petitioner Ranjay Bind is an absconder of Panch Mahala O.P. and so many criminal cases are pending against him. Vikko



Nishad is also criminal of Simariya area. It is alleged that the firing took place between both the parties but, not a single person lodged the F.I.R. rather, on the direction of the higher police official, the Informant lodged the F.I.R. against them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that there is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus. The Informant also is not the eye-witness. In the firing, no one received injury and, hence, Section 307 of the I.P.C. is not made out against the petitioner. As nothing has been recovered from the place of occurrence, Section 27 of the Arms Act also not made out against him. He further submits that there is delay of four days in lodging the F.I.R. without any explanation which itself falsifies the prosecution case. He further points out that co-accused Vikko Nishad has already been granted bail by the lower court in connection with S. Tr. No. 124 of 2023. The petitioner has altogether nine criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 04.10.2023.



5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maranchi P.S. Case No. 132 of 2022, subject to following conditions;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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