

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32659 of 2024

Arising Out of PS. Case No.-217 Year-2022 Thana- PATEPUR District- Vaishali

Ravi Ranjan Kumar @ Bambaiya S/o Ram Darash Bhagat R/o vill - Bhero Khara,
P.S. - Patepur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 06-09-2024

Heard the parties.

2. The petitioner is in custody in connection with Patepur P.S. Case No. 217 of 2022 for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code lodged on 09.08.2022 by the informant, Ganesh Bhagat.

3. The allegation in the FIR is that one Ravi Ranjan @ Bambaiya called the neighbour of the deceased, Niraj Kumar asking for his photo. Further, it is alleged that the said Ravi Ranjan @ Bambaiya made another call stating that his mother has been implicated in a rape case and got arrested and further threatened of consequences. Later, allegation is that Ravi Ranjan @ Bambaiya got Niraj Kumar disappeared and his dead body was found in a ditch on 09.08.2022.

4. The prosecution story further narrates that Chandra Bhushan and Anil Kumar had participated in the worship at Brahm Asthan after the murder. Accordingly, the FIR.

5. Learned counsel for the petitioner submits that



though his name has come, there is no eye-witness to the occurrence and only it has been alleged that after committing murder they went to Brahm Asthan to worship. He further reiterates that there is no eye-witness to the occurrence, only on the basis of suspicion, implicated. He is in custody since 16.05.2023 (para 10 to the petition), though he conceded that the petitioner has criminal antecedent and the last submission is that if granted relief, he will be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that his name has come in the FIR and all the accused persons have named him.

7. In this case, report was called for and as per the report dated 23.07.2024, out of nine charge-sheet witnesses, only one witness has been examined and summons have been issued for the other witnesses.

8. In that background, taking into account the period of custody (16.05.2023) as also the fact that there is no eye witness to the occurrence, the petitioner is ready to cooperate in the trial by appearing on each and every date, this Court is inclined to extend him the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties



of like amount each to the satisfaction of learned C.J.M.,
Vaishali at Hajipur in connection with Patepur P.S. Case No.
217 of 2022 subject to the following conditions:

(i) one of the bailor should be the family
member/relative of the petitioner who shall provide official
document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial Court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his
bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned
police station every month till conclusion of the trial;

(iv) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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