

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34800 of 2024

Arising Out of PS. Case No.-981 Year-2023 Thana- GAYA MUFASIL District- Gaya

Ranjeet Kumar @ Ranjeet Mahto S/o Jagdish Prasad R/o vill - Nauranga, P.s.
- Muffasil, Distt. - Gaya, Permanent R/o vill - Khajuri, P.s. - Wazirganj, Distt.
- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
an offence punishable under Sections 302 and 506/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is to have
committed murder of the son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. He next
submits that the informant is not an eye witness to the alleged
occurrence. Similarly situated co-accused persons have already
been granted bail by a Co-ordinate Bench of this Court passed
in Cr. Misc. Nos. 5723 of 2024 and 14937 of 2024. Petitioner is



in custody since 13.10.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, case diary, postmortem report and impugned order dated 07.02.2024, it appears that, the petitioner is named in the FIR and specific allegation of firing is against the petitioner resulting the death of the deceased. It also appears that co-accused Manish Thakur and Suresh Manjhi who have already been granted bail by this Court passed in Cr. Misc. 5723 of 2024 and 14937 of 2024 who were only present at the place of occurrence and have identified the petitioner and other co-accused persons for committing the alleged offence. From perusal of the case diary in paras 9, 10, 15 and 91 shows that witnesses and other co-accused have identified that, petitioner caught hold of the deceased after that, co-accused Jacky Mahto fired upon the deceased (Sunny Mahto) and supported the case of the prosecution, due to which the deceased died and the postmortem report also reveals that the son of the informant died due to bullet injury which is a serious offence and after investigation, police has submitted chargesheet for an offence under sections 302 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act against the petitioner, so



considering all the circumstances, I am not inclined to grant bail
to the petitioner.

7. Prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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