

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36444 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- JAKKANPUR District- Patna

Rajiv Ranjan @ Rajeev Ranjan @ Dimple @ Dimpal Son of Lal Babu
Paswan R/O Chhoti Pahari Rasidachak, P.S.- Agamkuan, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-08-2024 Learned counsel for the petitioner is directed to make necessary correction in paragraph-13 of the bail petition in course of the day.

2. Heard Mr. Ghanshyam Tiwary, learned counsel for the petitioner and Mr. Md. Ataul Rahman, learned APP for the State.

3. Petitioner seeks bail, who is in custody since 24.04.2023, in connection with Jakkanpur P.S. Case No. 163 of 2023, F.I.R. dated 09.03.2023 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. Earlier the bail petition of the petitioner was rejected vide order dated 21.09.2023 passed in Cr. Misc. No. 58030 of 2023 and thereafter the petitioner has again moved



before this Hon'ble Court in Cr. Misc. No. 18958 of 2024 which was dismissed with some liberty vide order dated 13.03.2024.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from perusal of the F.I.R. it appears that the petitioner has not committed any offence as alleged in the F.I.R. Although, there is specific allegation of firing against co-accused person namely Ranjan Kumar @ Guddu Kumar and the petitioner. Learned counsel for the petitioner further submits that co-accused Ranjan Kumar @ Guddu Guddu Kumar and Ajay Kumar @ Sonu Kumar against whom the similar allegation of firing have been granted bail by a coordinate Bench of this Court vide order dated 17.10.2023 and 01.11.2023 in Cr. Misc. No. 49201 of 2023 and Cr. Misc. No. 68570 of 2023 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 24.04.2023.

6. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits on



the basis of paragraph-3 of the petition the petitioner is on bail in both the cases.

7. Considering the aforesaid facts and circumstances of the case and the fact that co-accused persons against whom the similar allegation have been granted bail by a Coordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna in connection with Jakkanpur P.S. Case No. 163 of 2023, 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 witness, 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 antecedents, 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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