

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71388 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- YADOPUR District- Gopalganj

Ranjeet Kumar Sah @ Ranjeet Kumar @ Ranjit Kumar Sah Son of Thagan Sah Resident of Village- Jadopur Dukhharan Masan Thana, PS- Jadopur Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 02-12-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sessions Trial no.806 of 2023 (arising out of Jadopur P.S. Case no.104 of 2023) registered under sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that a dead body with the head severed was found. The deceased appeared to be a 25 year old person who was wearing a red shirt and a blue jeans.

4. Learned counsel for the petitioner submits that the earlier prayer for bail of the petitioner was rejected vide order dated 20.12.2023 passed in Cr. Misc. no.69243 of 2023. The petitioner has been falsely implicated in the case on the basis of



his confessional statement made before police. It is submitted that contrary to the allegations, no knife etc. has been recovered as a result of the said confessional statement. It is further submitted that even as per statement, it is co-accused Gautam Kumar who is the main/sole assailant and the said Gautam Kumar has been enlarged on bail vide order dated 18.1.2024 passed in Cr. Misc. no.71223 of 2023. The petitioner is in custody since 22.5.2023 and there is no other material against the petitioner except the aforesaid confessional statement. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 12.11.2024 of the Additional District and Sessions Judge XIV, Gopalganj, five witnesses have been examined on behalf of the prosecution and four witnesses remain to be examined. The report further states that bailable warrants have been issued by the Court against the rest unexamined chargesheet witnesses but the prosecution has not produced them for examination.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material



that has transpired in course of investigation, grant of bail to co-accused Gautam Kumar vide aforesaid order dated 18.1.2024, the petitioner being in custody since 22.5.2023 and specially the contents of the report of the learned trial Court according to which four remaining chargesheet witnesses are not appearing for their examination andailable warrants have been issued by the Court for their appearance, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.806 of 2023 (arising out of Jadopur P.S. Case no.104 of 2023) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. XIV, Gopalganj.

(Partha Sarthy, J)

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