

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73896 of 2023

Arising Out of PS. Case No.-35 Year-2021 Thana- BARURAJ District- Muzaffarpur

Ranjeet Paswan @ Ranjeet Kumar son of Late Nemi Paswan Village-
Rajwara Ps- Sahebganj Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-02-2024 Heard Mr. Indrajeet Bhushan, learned counsel for
the petitioner and Mr. Umeshanand Pandit, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baruraj P.S. Case No. 35 of 2021, F.I.R. dated 08.03.2021 for the offences punishable under Sections 395 and 397 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, this petitioner along with other accused persons have assaulted and snatched Rs. 30,000/- from the informant on the point of gun. It is further alleged that one of the accused, namely, Ranjan Pandey has fired upon the informant on the instruction of another co-accused, namely, Abhishek Pandey.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is direct and specific allegation Ranjan Pandey who has fired upon the informant on the instruction of Abhishek Pandey. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Chunu Paswan which is recorded in paragraph nos. 27 and 28 of the case diary. He further submits that except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor on the basis of material available on record as well as case diary has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner along with other persons were involved in the present crime in question and apart from that the petitioner carries 2 criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in both the cases.

6. Considering the aforesaid facts and circumstances,



let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court no. 5 of Judicial Magistrate 1st Class (West), Muzaffarpur in connection with Baruraj P.S. Case No. 35 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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