

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6573 of 2024

Arising Out of PS. Case No.-351 Year-2023 Thana- MIRGANJ District- Gopalganj

Ranjeet Sah @ Ranjit Kumar Gupta Son of Bhagwat Sah Resident of Village -
Bhagwan Taders Barkaganw, PS-Mirganj, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-02-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The Petitioner apprehends his arrest, in connection with Mirganj P.S. Case No. 351 of 2023 dated 07.11.2023, registered for the offences punishable under Sections 341, 323, 324,325, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is that the nephew of the Informant, Shivam Kumar and Nirbhay Kumar went to one Bhagwan Traders of Badkagaon to inquire about the non-delivery of asbestos-sheet despite making payment for the same and they were assaulted by the accused persons with rod and danda. However, they were rescued with the help of nearby people gathered around.

4. Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that there is case and counter case. He also submits the there was free fight between the parties. He also submits that the allegation against the Petitioner is general and omnibus in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It is also stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, this application is allowed, directing the petitioner, above-named, to be enlarged on bail in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Gopalganj, in connection Mirganj P.S. Case No. 351 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and the



following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has given wrong statement regarding his criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

9. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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