

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10320 of 2024

Arising Out of PS. Case No.-140 Year-2001 Thana- BAKHTIYARPUR District- Patna

Ranjeet Rai Son of Shyam Sunder Rai Resident of Village- Chiraiya Ps-
Bakhtiarapur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

10 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Bakhtiyarpur P.S. Case No. 140 of 2001 instituted for the
offences under Sections 147, 148, 149, 379, 307, 302, 385 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on the alleged date
and time of occurrence, all the FIR named accused persons and
10-12 unknown persons armed with gun and bhala, entered the
Atta Chakki mill and started abusing and assaulting the
informant. It is further alleged that one Arjun Rai fired upon the
informant due to which he sustained injuries on his right leg,
whereas one Nawal Rai fired upon the Jawahar Rai due to



which he sustained injuries and later on, died during course of treatment.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No specific overt act is alleged against the petitioner. Learned counsel further submitted that specific allegation of firing upon the deceased is attributed to one Nawal Rai. Learned counsel further contended that this petitioner is only a member of mob and has not committed any overt act. The similarly situated co-accused person has already been granted bail by this Court vide order dated 23.04.2010 passed in Cr. Misc. No. 12518 of 2010. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.02.2023 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Bakhtiyarpur P.S.
Case No. 140 of 2001, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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