

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32061 of 2025

Arising Out of PS. Case No.-340 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Ranjay yadav Son of shibu Yadav @ Shiv Narayan yadav Resident of Village
-Kodara Police Station -Kusheshwar Asthan District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Kusheshwar Asthan P.S. Case No. 340 of 2023 registered for the alleged offence under Sections -341, 323, 307/34 of the Indian Penal Code and Sections 25(1-b) a/26/35/27 of the Arms Act.

03. As per prosecution case, police received information about some fighting taking place between two groups. Police reached at the spot and two co-accused persons were apprehended. From the statement of one of the apprehended persons, the police came to know that along with co-accused Laxmi Yadav, this petitioner opened firing with intention to causing death of another apprehended person, namely



Ghanshyam Ray.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. From the FIR, it appears that dispute was between Ghanshyam Ray and Laxmi Yadav and whatever recovery has been made, it is from these two persons. The name of petitioner transpired in this case at the instance of Ghanshyam Ray who deliberately named him in order to pressurize his opponent Laxmi Yadav. Even the country made pistol had been recovered from Ghanshyam Ray and from Laxmi Yadav, two empty cartridges were recovered. But, it is not believable that a person will keep two empty cartridges in his pocket to get himself implicated in a case. It is also not believable that the petitioner ran away with his weapon and also with the weapon of Laxmi Yadav and also put a country made pistol in the waste of the apprehended co-accused Ghanshyam Ray. From the facts of the case, it is abundantly clear that the petitioner has not committed any offence and nothing incriminating has been recovered from his person or possession. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP submits that there is allegation that the petitioner also fired upon the co-accused Ghanshyam



Rai.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and further considering his clean antecedent and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Benipur, Darbhanga/court concerned in connection with Kusheshwar Asthan P.S. Case No. 340 of 2023, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

