

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52703 of 2025

Arising Out of PS. Case No.-30 Year-2014 Thana- KIUL RAIL P.S. District- Lakhisarai

Ranjay Kumar Panday @ Gautam Panday @ Gautam Kumar Pandey S/o
Nandlal Pandey, Resident of Village- Nonay, P.S.- Akbarpur, District-
Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing on behalf of the

State.

2. The petitioner seeks bail in a case registered for
the offences punishable under Sections 399 and 402 of the
Indian Penal Code and under Sections 25(1-B)A, 26 and 35 of
the Arms Act.

3. The prosecution case in brief is that the
petitioner along with other co-accused persons was arrested by
the Police while they have boarded the Train No. 53403 Up
Rampurhat- Gaya Passenger on 27.03.2014 at Paimar Halt with
illegal arms for the purpose of committing dacoity.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has not deliberately and intentionally



misused the privilege of bail. Learned counsel next submits that the petitioner carries three criminal antecedents and he is on bail in all the three cases as mentioned in the paragraph no. 3 of the bail application. Learned counsel lastly submits that the petitioner is in custody since 26.06.2025.

5. Learned Additional Public Prosecutor for the State vehemently opposes the prayer for bail of the petitioner and submits that in the impugned order passed by the learned Court below, it has been clearly recorded that the bail bond of the petitioner was cancelled on 11.01.2017 and that no such information that he is in judicial custody in relation to Nawada P.S. Case No. 757 of 2015 was given by the learned lawyer and no prayer was made for issuance of P.W. and moreover, after the cancellation of the bail bond on the next date, i.e., 16.02.2017, the learned lawyer filed representation petition on behalf of the accused petitioner and as bail bond of the accused was cancelled, hence representation petition of the accused petitioner was cancelled. Thereafter, also learned counsel did not give any such information regarding his judicial custody in another case in Nawada. For the first time, he gave such information before the learned Court below in his bail petition dated 07.07.2025. It has been further observed by the learned Court below that the



petitioner has already been declared absconder. Thereafter, the accused petitioner surrendered before the Court below on 26.06.2025. It has also been observed by the learned Court below that this case is more than 10 years old, so in this way the petitioner intentionally misused the privilege of bail and also hampered the trial of the case. Charge has already been framed under under Sections 399 and 402 of the Indian Penal Code and under Sections 25(1-A), 25(1-b), 26 and 35 of the Arms Act, arising out of Rail / Kiul (Nawada) P.S. Case No. 30 of 2014, instituted under Sections 399 and 402 of the Indian Penal Code and under Sections 25(1-b), A, 26 and 35 of the Arms Act.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that learned counsel appearing on behalf of the petitioner has not come up with anything to persuade this Court to differ from the view that has taken by the learned Court below and given the fact that the petitioner has been held to have deliberately misused the privilege of bail and did not adhere to the terms of the bail by not appearing and subsequently the bail bond was cancelled on 11.01.2017. Keeping in view the conduct of the petitioner of misusing the privilege of bail which has hampered the trial of the case, I am not inclined to grant bail to the



petitioner.

7. Accordingly, the present bail application stands rejected.

8. Since charge has already been framed in this case, learned Court below is directed to expedite and conclude the trial at the earliest.

(Alok Kumar Sinha, J)

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