

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77824 of 2024

Arising Out of PS. Case No.-451 Year-2024 Thana- ALAMGANJ District- Patna

Ranjan Yadav Son of Late Suresh Yadav Gupta @ Suresh Kumar Yadav
village- Mangal Talab, Kachauri gali, Pani Tanki, Ps- Chowk, Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.
Mr. Pramod Kumar, Adv.
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP
For the Informant : Mr. Santosh Kumar Singh, Adv.

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

ORAL ORDER

3 23-01-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 451 of 2024 instituted for the offences
under Sections 307, 302 of the Indian Penal Code and Section
27 of the Arms Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of firing upon the
Informant's husband due to which he sustained grievous injuries
whereafter he was taken to Rajeshwari Hospital for his
treatment.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to local party politics as well as on suspicion. The petitioner is not named in the F.I.R. and his name has transpired in this case during investigation. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. Even in the CCTV footage, the petitioner was not seen. The specific allegation of firing is against the co-accused Niraj Choudhary, Vivek Patel and Piyush Gupta. There is also no allegation of firing against the petitioner rather the allegation against the petitioner is of working as a liner. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent as stated in Para-3 of the supplementary affidavit and is languishing in judicial custody since 08.05.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner. From Para-39 of the case diary, it appears that the petitioner has one criminal antecedent. The Informant in



her re-statement contained in Para-13 of the Case Diary has fully supported the prosecution case in which she has taken the name of the petitioner. Para-14 & 52 of the case diary contain the statement of the co-accused Ramesh Kumar and Sony Kumar respectively, who have fully supported the prosecution case. The postmortem report also supports the prosecution case. Charge-sheet has also been submitted against the petitioner in this case for offence under Sections 307, 302 of the I.P.C. and Section 27 of the Arms Act.

6. Having heard rival contention of both the parties and considering the nature of offence which is serious and heinous, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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