

(2020) 12 PAT CK 0024

Patna High Court

Case No: Criminal Miscellaneous No. 31782 Of 2020

Ranjit Yadav @ Singhwa

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision: Dec. 2, 2020

Acts Referred:

- Indian Penal Code, 1860 - Section 147, 148, 149, 307, 323, 341, 379, 448, 504, 506
- Arms Act, 1959 - Section 25(1B)(a), 26, 27

Hon'ble Judges: Ahsanuddin Amanullah, J

Bench: Single Bench

Advocate: Krishna Prasad Singh, Saket Kumar Singh, Rana Randhir Singh

Final Decision: Dismissed

Judgement

1. The matter has been heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Krishna Prasad Singh, learned senior counsel along with Mr. Saket Kumar Singh, learned counsel for the petitioner and Mr. Rana

Randhir Singh, learned Additional Public Prosecutor (hereinafter referred to as the "APP") for the State.

3. The petitioner is in custody in connection with Sour Bazar PS Case No. 156 of 2019 dated 03.04.2019, instituted under Sections 147, 148, 149, 448,

341, 323, 307, 379, 504, 506 of the Indian Penal Code and 25(1-B)(a), 26 and 27 of the Arms Act.

4. The allegation against the petitioner and nine others is of coming to the house of the informant with deadly weapons and attacking the whole family

and specifically against two other co-accused of inflicting injury by iron rod on the son of the informant and also snatching away of ornaments.

5. Learned counsel for the petitioner submitted that the allegations are false, bald and omnibus in nature. It was submitted that there is no specific overt act alleged against the petitioner which is against two other co-accused. Learned counsel submitted that no firearm was recovered from the petitioner. Learned counsel further submitted that the petitioner is in custody in the case being remanded on 03.07.2020 from Gwalpada (Arar OP) PS Case No. 20 of 2020.

6. Learned APP submitted that the petitioner is a history-sheeter and is accused in 12 other cases right from the year 2006 under grave sections of the Indian Penal Code and the Arms Act. It was submitted that after being released on bail in the cases, the petitioner again committing such offence shows that he is a habitual offender and has been consistently violating the privilege of bail granted to him in those cases. It was further submitted that the present case was instituted on 03.04.2019, but the petitioner did not submit himself before the law and when he was arrested in a case lodged in February, 2020, i.e., after 10 months of the instituting of the present case and was caught in the other case, from the same he was remanded in the present case. It was submitted that thus the conduct of the petitioner also disentitles him to grant of bail in the present case.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.