

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23896 of 2017

Arising Out of PS.Case No. -260 Year- 2010 Thana -KHARAGPUR District- MUNGER

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Ravi Ram @ Ravi Rai @ Bagina @ Bhagina, S/o Parmeshwar Rai, resident
of Village- Gidha, P.S.- Halsi, Distt- Lakhisarai.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha

For the Opposite Party/s : Mr. Smt. Rita Verma

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Kharagpur
P.S. Case No. 260 of 2010 registered for the offences punishable
under Sections 147, 148, 149, 307, 302 of the Indian Penal Code
and Section 27 of the Arms Act.

The petitioner is not named in the first information
report, his name transpires in the confessional statement of other
two co-accused persons vide paragraphs 48 and 63 of the case
diary and thereafter, the petitioner has been remanded in this case
on 09.11.2016 and since then he is in custody.

Submission is of false implication and that in the FIR
there is specific allegation against co-accused for killing the
deceased by opening fire, confessional statement of co-accused
made before the Police has got no evidentiary value in the eye of



law, the petitioner was all along in custody but earlier he has not been remanded in this case, other similarly situated co-accused have been allowed bail and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that besides confessional statement there is no other material against the petitioner, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge Ist, Munger in Sessions Trial No. 73 of 2017 arising out of Kharagpur P.S. Case No. 260 of 2010, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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