

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49576 of 2018

Arising Out of PS.Case No. -376 Year- 2012 Thana -NAWADA District- NAWADA

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Ravi Shankar Singh @ Birbal Singh @ Birbal S/o Late Nandu Singh @ Krishna Murari Singh, R/o Vill.- Karam Dih , P.S.- Bishrampur , District- Palamu (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 29-08-2018

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Nawadah P.S. Case No. 376 of 2012 giving rise to Sessions Trial No. 783 of 2017 registered for the offence punishable under Sections 364A of the Indian Penal Code.

The petitioner is not named in the F.I.R., however his name transpired in the confessional statement made by the co-accused Sunil Singh. Earlier taking note of the submissions of learned A.P.P. as this court found that the petitioner was remanded in this case recently from the other case, the prayer for bail of the petitioner was rejected. Learned counsel for the petitioner has, by enclosing the various bail orders passed by learned co-ordinate Bench of this court in respect of the co-accused, pointed out that in fact Sunil Singh @ Sunil Kumar



Singh, on whose statement this petitioner was implicated in the present case, has been granted regular bail by the learned co-ordinate Bench of this court as back as on 09.04.2014, but the prayer for bail of the petitioner was rejected taking note of the fact that he had not appeared in the case and was remanded in this case from the other case. Learned counsel submits that the victim in this case has been recovered and this petitioner was not arrested on the spot and further that the co-accused against whom there was allegation of having been in possession of arms and ammunitions has been granted regular bail in this case. It is further pointed out that prior to the present case this petitioner had no criminal antecedent. In paragraph-3 it is stated that the petitioner has either been acquitted in the cases mentioned therein or is on bail except in the present case.

Learned Additional Public Prosecutor representing the State is present and has not controverted the argument of the petitioner that the co-accused Sunil Singh @ Sunil Kumar Singh has already been granted regular bail by the learned co-ordinate Bench of this court.

Taking note of the aforesaid submissions and the fact that the co-accused Sunil Singh @ Sunil Kumar Singh has been granted regular bail in the present case and now the petitioner has been renewing his prayer for bail after about seven months, this court directs release of the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-1st, Nawadah, in connection with Nawadah P.S. Case No. 376 of 2012 giving rise to Sessions Trial No. 783 of 2017, subject to conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

Apart from those conditions petitioner shall give an undertaking that he would present himself in the trial on each and every date fixed in the matter and two regular non-appearance of the petitioner for no cogent reason in course of trial shall lead to cancellation of his bail bond.

This application is disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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