

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4591 of 2019

Arising Out of PS. Case No.-145 Year-2017 Thana- HAJIPUR District- Vaishali

Ravi Sah, aged about 26 years, Male, son of Rameshwar Sah, resident of Village - Mahmud Chak, Police Station – Nayagaon, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

6 15-05-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Hajipur Town P.S. Case No. 145 of 2017 registered for the offences punishable under Sections 302, 394 of the Indian Penal Code and Section 27 of Arms Act.

Informant has alleged that on 05.03.2017 his son Ankit Raohtagi and Dipu Kumar were going on their motorcycle for business purpose when at about 3:30 P.M., unknown criminals fired upon them and thereafter they were taken to Sadar Hospital, Hajipur where they were declared dead and cash money kept in their pocket was taken away by the criminals. During investigation two un-named accused Ankit Goswami and Ravi Sah (petitioner) were arrested and on their



confession the Scooty of deceased was recovered and during investigation it has also come that on the basis of C.D.R. it was found that they were present near the place of occurrence. Petitioner had earlier filed bail application which was rejected by order dated 23.08.2018 as contained in Annexure-1.

It has been submitted on behalf of the petitioner that similarly placed accused against whom there is similar allegations who was also arrested along with petitioner has been granted bail by co-ordinate Bench of this Court vide order dated 16.05.2018 as contained in Annexure-2. Petitioner is in custody since 07.03.2017 having one criminal antecedent instituted under the Arms Act.

Considering the aforesaid facts and circumstances of the case, petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 145 of 2017 with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be



present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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