

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6348 of 2019

Arising Out of PS. Case No.-208 Year-2011 Thana- DHAKA District- East Champaran

Ravi Kumar Singh @ Ravi Raushan Singh, aged about 32 years, Male, Son of Nirbhay Singh, Resident of Village - Marpa Mohan , P.S. - Phenhara, District – East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 05.09.2018 in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Md. Nasim submitted to the Station House Officer of Dhaka Police Station is to the effect that 08.11.2011 at 8.00 A.M. the informant along with his brother-in-law, Md. Salim and two other persons were going to village from motorcycle, on the way, Md. Salim gave Rs.700/- to the informant to bring chicken and thereafter, the informant after taking the chicken came to his



house. After some time, one Suresh Yadav came and informed the informant that four motorcycle borne accused persons resorted to fire upon Md. Salim and consequently, he died and in the said incident, Ram Padarath Yadav, who was also sitting on the motorcycle with Md. Salim fell down but he did not receive any injury, leading to registration of FIR against unknown accused persons. The name of the petitioner sprang up during investigation in the confessional statement of co-accused Amit Singh.

It is submitted by learned counsel for the petitioner that except the confession of co-accused Amit Singh, no material has been collected against the petitioner during investigation and said co-accused Amit Singh has been granted bail by a co-ordinate Bench of this Court vide order dated 28.01.2015 passed in Cr. Misc. No. 38791 of 2014 and similarly situated co-accused Bholi Singh, whose name also sprang up in the confessional statement of co-accused Amit Singh, has also been granted bail by a co-ordinate Bench of this Court vide order dated 01.11.2018 passed in Cr. Misc. No. 56835 of 2018. It is further submitted that the investigation has already been concluded. Though, the petitioner is accused in five other cases but he is on bail in those case.



Learned APP submits that the name of the petitioner sprang up during investigation who conspired in commissin of the murder of Md. Salim.

Considering the circumstantial nature of accusation and the confession before the police by co-accused Amit Singh when other similarly situated co-accused including Amit Singh have been granted bail and the investigation being concluded, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 208 of 2011.

Since the petitioner is having serious criminal antecedent, the learned Court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities; if the petitioner defaults for two consecutive occasions or gets substantially involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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