

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56140 of 2019

Arising Out of PS. Case No.-22 Year-2004 Thana- KHAIRA District- Jamui

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BHIM RAVIDAS S/o- Kaila Ravidas Resident of Village- Mahuliya- tarh,
P.S.- Kauakol, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Amrendra Kumar

For the Opposite Party : Mr. R. B. Roy 'Raman', APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-09-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Khaira P.S. Case No. 22 of 2004 for the offence punishable
under Section 302 of the Indian Penal Code.

When this matter was taken up on 05.09.2019,
following order was passed : -

“The FIR was registered in 2004 against unknown.
The petitioner approached the Court of learned Sessions
Judge for grant of anticipatory bail in 2019. There are two
aspects which are disturbing to this Court. Firstly, what has
made the petitioner to approach this Court nearly 15 years
after registration of the FIR for grant of anticipatory bail
and, secondly, if the petitioner is an accused in a case of such
a serious nature, why could he be not apprehended by the
police so far, if he was required to be apprehended.

Let Superintendent of Police, Jamui file an affidavit
stating whether the petitioner's arrest is required or not and
if the same was required whether any step was taken to
apprehend him.



List this case on 19.09.2019 under the heading “for orders”.”

In compliance of the said order, a counter affidavit has been filed on behalf of Superintendent of Police, Jamui. It has been stated in the said affidavit that the investigation of the concerned Khaira P.S. Case No. 22 of 2004 has been completed and no incriminating evidence has been found against the accused persons including the petitioner.

Learned Additional Public Prosecutor appearing on behalf of the State has submitted that since the final form has been submitted, there is no apprehension of the arrest of the petitioner.

Be that as it may, considering the facts and circumstances of the case, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned C.J.M., Jamui, in Khaira P.S. Case No. 22 of 2004, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as



and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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