

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3971 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- BIHPUR District- Bhagalpur

Ravi Singh, Male, aged about 29 years, Son of Shiv Singh Resident of Village
- Harnathchak, P.S.- Gopalpur, District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in connection with Bihpur P.S. Case No.146 of 2019 registered for the offence under Sections 394/302 of the Indian Penal Code and later on Section 397 of the Indian Penal Code has also been added and Section 27 of the Arms Act.

As per prosecution case, on 12.05.2019 at about 5.00 O' clock in the evening, the informant along with relatives had gone to attend a Tilak ceremony of his cousin sister at the house of one Anand Roy, situated near Naugachiya Bazar Railway Station and while returning on a motorcycle, as soon as he along with his cousin brother Ranjan Roy reached near Sharma Dhaba, four accused persons came on a motorcycle and fired upon Ranjan Roy, which caused injury on his chest. It is further alleged that thereafter one of the miscreants took the mobile and



purse of the informant and fired upon the informant also, as a result of which he sustained injury.

It is submitted on behalf of the petitioner that F.I.R. was lodged against four unknown accused persons and during course of investigation, the petitioner has been made accused on the suspicion raised by the of Chaukidar. It is further submitted that there is no evidence against the petitioner and nothing has been recovered from the possession of the petitioner. It is further submitted that in spite of the fact that the informant claimed to have identified all four accused persons, the petitioner has not been put on Test Identification Parade. The petitioner is in custody since 11.10.2019. It is submitted that similarly situated co-accused Dharo Singh @ Dharwa has been granted bail by this Court vide order dated 20.11.2019 passed in Cr.Misc.No.54821 of 2019.

In view of the facts and circumstances of the case, the prayer for bail of the petitioner is allowed. Let the petitioner, named above, 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 Additional Chief Judicial Magistrate 1st, Naugachia, Bhagalpur in connection with Bihpur P.S. Case No.146 of 2019 on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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