

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18517 of 2020

Arising Out of PS. Case No.-537 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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1. DAS RAVI S/o Das Parmesh R/V- Ashik Karaut Ali, P.S.- Ashik, Distt-
Ganjam (Orissa).
 2. Shankar Pardhan S/o- Late Dhanu Pardhan R/v- Pantar, P.S.- Udai, Distt-
Jachhapur (Orissa)
 3. Shaktiman S/o Mahesh Poddar R/v - Dasmaniya, P.S.- Dasmaniya, Distt-
Kotak (Orissa)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2020 This case has been heard through video conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the
offence punishable under Sections 467, 468, 414, 34 of the
Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms
Act.

Prosecution case as lodged by the police personnel is
that on secret information that some miscreants were assembled
for committing crime, a raid was conducted and apprehended
three persons namely Das Ravi, Shankar Ravidas and
Shaktiman (petitioners). It is alleged that on search a six rounder



revolver was recovered from the waist of Das Ravi containing two cartridges of 7.65mm and a country made pistol was recovered from the possession of Shankar Pardhan containing a cartridge of 8 mm and from the possession of Shaktiman five pieces gold like men finger ring and six pieces gold like female finger ring, one piece gold Tabij, 86 pieces gold Nathiya, 114 pieces gold nose tops small bag of Pujashree Jewellery, Anand Chowk 12 pieces gold Jhumka, five piece gold ear ring, 45 pieces gold ear tops, 28 pieces gold locket etc were recovered. Accordingly, a seizure list was prepared.

It has been submitted on behalf of the petitioners that they are innocent, committed no offence and have been falsely implicated in this case. He submits that three persons were coming on a motorcycle and after looking police they try to flee away but they were apprehended and a revolver and pistol containing cartridges were recovered from the possession of Das Ravi and Shankar Pardhan but there is no expert report regarding the testing of the revolver and pistol. He submits that number of gold and silver jewellery were recovered from the possession of Shaktiman but police has not clarified that it was the gold jewellery or Roll Gold jewellery. He further submits that petitioners are languishing in judicial custody since



26.12.2019.

In the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Sadar Police Station Case No. 537 of 2019 subject to the conditions:

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.

(II) The petitioners shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(IV) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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