

**THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.20147 of 2020**

Ravi Kumar @ Karu, Age about - 18 years, Gender - Male, Son of Pramod Ray @ Pramod Prasad @ Pramod Kumar, resident of village-Bigrahpur near Dipa Singh's House P.S. Jakkanpur, P.O.-Jakkanpur, District-Patna

.....  
Petitioner

Versus

The State of Bihar

.....  
Opposite party

**Appearance**

For the Petitioner/s : Mr.Jagjit Roshan, Advocate

For the State : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL ORDER**

2      22.07.2020      Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jakkanpur P.S. Case No.66 of 2020, registered under sections 25(1-b)(a) and 26 of the Arms Act and sections 30(a), 36 and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R, on secret information having been received, the police personnel proceeded to conduct raid. It is stated that seeing the police personnel two persons attempted to escape out of whom one was caught. It is stated



that a loaded country made pistol with two cartridges was recovered from the waist of the co-accused Vikki Kumar and 4.26 litres of IMFL was also recovered. It is further stated that the accused Vikki Kumar disclosed that the person who had escaped was his brother Ravi Kumar, the petitioner herein.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. It is submitted that his name transpired in the confessional statement of co-accused made before the police. He has only been implicated in this case for the reason that he was falsely implicated in one another case on earlier occasion, but which is not under the Excise Act.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Jakkanpur P.S. Case No.66 of 2020, he will be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Special Judge, Excise, Patna, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code and removal of the defects pointed out by the stamp reporter in the instant application, on normal functioning of the Court being restored.

**(Partha Sarthy, J)**

**Bibhash**

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