

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12977 of 2021**

Arising Out of PS. Case No.-316 Year-2020 Thana- BHAGWAN BAZAR District- Saran

RAVI KUMAR Son of Madan Sah Resident of Village - Ratanpura, P.S.-
Bhagwan Bazar, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Madhuranand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Bhagwan Bazar P.S. Case No.316 of 2020

registered for the offences punishable under Sections 399, 402

and 412 of the Indian Penal Code and Sections 25(1-b)a, 26 and

35 of the Arms Act.

As per the prosecution story the informant who is the

officer in charge of Bhagwan Bazar police station got a secret

information on 17.07.2020 at about 5.00 am that some criminals



assembled near the college of P.N. Singh and they are planning for doing some occurrence. On receiving this information, when the informant along with other police personnel reached near the given place he saw that some persons are trying to flee away, but on chase they were apprehended including this petitioner. On search, from the possession of the petitioner one loaded country made pistol with one live cartridge has been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel submits that the name of the petitioner has been brought in this case merely on suspicion. It is submitted that the petitioner is in judicial custody in connection with this case for about ten months.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that as per the allegations from the possession of the petitioner one loaded country made pistol with one live cartridge has been recovered for which the petitioner is in custody for about ten months, investigation against him is complete and in the two cases stated in paragraph '3', in Tariya



P.S. Case No.273 of 2019 petitioner has been granted bail whereas his prayer for bail is pending in another case being Bhagwan Bazar P.S. Case No.304/2020, considering the period of custody in the present case and that the investigation is over but the trial is not likely to be concluded in near future, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No.316/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify



the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

