

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16321 of 2021**

Arising Out of PS. Case No.-265 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

RAMPRAVESH RAI Son of Late Baiju Rai Resident of Village- Sarsai
Mukundpur, P.S.- Sarai, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 30-06-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Hajipur Sadar P.S. Case No. 265 of 2020 registered for the offences punishable under Sections 399, 402, 413, 414 of the Indian Penal Code and under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that as per the prosecution story, Sub Inspector Praveen Kumar got an information by SHO Sadar and went to place where this petitioner along with other co-accused were planning dacoity. On seeing police party all five of them started running away but three of



them were caught. The apprehended persons disclosed their names as Rampravesh Ray, Rakesh Kumar Sahni and Uttam Kumar. One country-made katta and two Aadhar Cards have been recovered from the possession of this petitioner.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 28.4.2020 having no criminal antecedent.

Learned APP for the State 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 so far as the present case is concerned, the allegation against the petitioner is that of planning dacoity and from possession of the petitioner a loaded country-made pistol and Aadhar Card has been recovered but for the same he has remained in jail in connection with the present case since 28.4.2020, investigation against him is complete and while considering the case of the co-accused Uttam Kumar @ Uttam Kumar Sah and Rakesh Kumar this Court have granted them bail in Cr. Misc No. 27972 of 2020 and Cr. Misc. No. 27980 of 2020 respectively, so far as the cases stated in paragraph-3 are concerned, learned counsel for the petitioner submits that in some of the cases petitioner have been enlarged on bail and in some other cases prayer for bail is still



pending, considering the period already spent in custody in connection with the present case and that co-accused have been granted bail, so far as the present case is concerned, this Court directs release of the petitioner above named on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 265 of 2020, subject to the conditions 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 is suspected, and

(c) that such persons shall not directly or indirectly make and 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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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'.

