

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16144 of 2021**

Arising Out of PS. Case No.-547 Year-2019 Thana- BARH District- Patna

RAVI KUMAR Son of Rajniti Yadav Resident of Village- Masudbigha, P.S.-
Barh, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

3 29-06-2021 Learned counsel for the petitioner has pointed out to this Court that the matter was simply passed over but it seems that the date has been wrongly given on 5th July, 2021.

This Court accepts the mentioning. Let this matter be heard today.

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. Satyendra Prasad, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with S.T. No. 263 of 2020 arising out of Barh P.S. Case No. 547 of 2019 registered for the offences punishable under Sections 341, 323, 307, 506 and 34 of the Indian Penal Code and later on section 302 of the IPC is added.

Learned counsel for the petitioner submits that as per the



prosecution story, all the FIR named accused persons assaulted the informant with lathi, danda and pistol. It is further alleged that one Karu Yadav assaulted with iron rod on the head of the informant because of which he fell down and became unconscious. Thereafter, they fled away.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no specific allegation against this petitioner. The petitioner is in custody since 30.11.2020 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 appears from the reading of the First Information Report itself that in the first part thereof there is general and omnibus allegation against the accused persons, however, the specific allegation of causing assault by iron rod is against co-accused Karu Yadav, there is no specific allegation against this petitioner, the petitioner has remained in jail in connection with this case since 30.11.2020, he has otherwise no criminal history, investigation against him is complete but the trial is not likely to be concluded in near future, this Court directs release of the petitioner in the present case above named on bail 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 A.D.J. III, Barh, Patna in connection with S.T. No. 263 of 2020 arising out of Barh P.S. Case No. 547 of 2019, 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'.

