

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18422 of 2021**

Arising Out of PS. Case No.-242 Year-2019 Thana- HATHAURI District- Muzaffarpur

Ravishankar Kumar @ Satyam Kumar @ Satyam (male), aged about 19 years, S/o Late Bipin Singh, Resident of Village Mahesha Farakpur, P.S. Runnisaidpur, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 27-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 399, 402 and 414 of the Indian Penal Code as well as under Sections 25(1-B)A/26/35 of the Arms Act.

The informant, S.H.O. of Hathauri P.S. alleged in his self statement that on 05.12.2019, he got secret information



about assemblage of 8-10 criminals near railway premises for committing crime. To verify the fact, the informant alongwith other police personnel reached the place and seeing the police party, 8-10 miscreants started fleeing away but four of them were apprehended including the present petitioner. On search, one pistol loaded with two cartridges were recovered from the conscious possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The police is said to have recovered one pistol loaded with two cartridges from possession of the petitioner. It is further submitted that similarly situated co-accused persons have been granted bail by different co-ordinate Benches of this Court vide Annexures-2, 2/1, 3, 3/1 and 4 of the bail petition. The petitioner is in custody since 06.12.2019 and he has got seven criminal antecedents under different sections of the Indian Penal Code as well as under the Arms Act.

The learned APP vehemently opposed the prayer for bail of the petitioner.

Having considered the facts aforesaid as well as the period of custody, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five



thousand) with two sureties of the like amount each to the satisfaction of the learned court below/successor court where the case is pending in connection with Hathauri P.S. Case No.242 of 2019, subject to the conditions:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the court, if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(4) That the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when required and in case of failure, the State shall be at liberty to move for cancellation of bail.



(5) The petitioner shall remain physically present once in a month before the Station House Officer of Runnisaaidpur Police Station till conclusion of the present case.

(Anjani Kumar Sharan, J)

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