

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23311 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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RAVISH KUMAR Son of Sri Anandi Singh Resident of Village - Pahsara,
P.S.- Nawkothi, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Kumar, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 30-09-2021 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 Mr. Md.

Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Nawkothi P.S. Case No.75/2020 registered for

the offences punishable under Sections 447, 342, 323, 307,

354(B), 386, 387 and 34 of the Indian Penal Code and Section

27 of the Arms Act. He is in custody since 12.01.2021. The

petitioner has got two criminal antecedents as stated in

paragraph '3' and in both the cases he is said to be on bail.

As per the prosecution story, the allegation against the



petitioner is that he along with other co-accused persons armed with fire-arm and bomb came at the bathan of the informant and demanded Rs.5,00,000/- as Rangdari. It is further alleged that the petitioner fired from his pistol with intention to kill the informant which hit his head. Thereafter other accused persons also fired from their pistol.

Learned counsel for the petitioner submits that although the allegation against the petitioner is that of firing by country made pistol but similar allegations have been made against co-accused Manish Kumar and Sukkan Singh of firing causing injuries to the informant. It is his submission that the injury report indicates only two injuries whereas three persons are said to have fired on the deceased, the doctor has opined in the supplementary injury report that x-ray does not show any bonee injury and the injury is simple in nature as also that the injury has been caused by high velocity projectile weapon.

Learned counsel further submits that the co-accused Manish Kumar against whom there is an identical allegation has been granted bail by a learned coordinate Bench of this Court in Cr.Misc.No.26302/2021. This petitioner has got two criminal antecedents and in both the cases he is on bail.

Mr. Md. Fahimuddin, learend APP for the State has



though opposed the prayer for regular bail of the petitioner, but does not controvert the submissions made on behalf of the petitioner. After going through the case diary, learned APP confirms that the supplementary injury report shows the injury as simple in nature and there is no bonee injury.

Considering the facts and circumstances of the case, the kind of allegations and the injury report particularly the supplementary injury report, further that the co-accused similarly situated has been granted bail by a learned coordinate Bench of this Court and the petitioner has remained in custody for over one year, investigation against him is complete but the trial is not likely to be concluded in near future, this Court directs that 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 Sri Rajeev Ranjan, J.M.-1st Class, Begusarai in connection with Nawkothe P.S. Case No.75/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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)

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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'.

