

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29936 of 2021**

Arising Out of PS. Case No.-168 Year-2019 Thana- BELSAND District- Sitamarhi

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Ravi Patel @ Ravi Kumar S/o Brij Kishor Patel Resident of Ward No. 4,
Village- Muraliya Chak Chakmahila, P.S. and District- Sitamarhi- 843302

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Belsand P.S. Case No. 168 of 2019 instituted for the offences
under Sections 302 and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.12.2020, charge-sheet has been
submitted in the case and is a person with clean antecedent.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant alleges that all the named accused
persons including the petitioner had threatened his son in
relation to a land dispute. It is further alleged that on 06.11.2019



one of the co-accused, Arun Bhagat came to the house of the informant on a white colour Apache motorcycle and parked the same and took away his son's Suzuki Turbo motorcycle on the pretext that his motorcycle requires repair and on the next morning at 6:00 am, said Arun Bhagat called informant's son on his house on the pretext of taking back his motorcycle. It is further alleged that the informant had talked with his son upto 11:00 pm when his son informed him that he is coming within five minutes but the informant got information from Sitamarhi Police Station that his son has been murdered by gunshot. Accordingly, the informant based on suspicion instituted the present case.

Learned counsel for the petitioner submits that admittedly from allegation as alleged in the F.I.R. it would manifest that there is a land dispute between the parties and as far as this petitioner is concerned, it is alleged that he had earlier threatened the son of the deceased and the case hinges around Arun Bhagat who had called the son of the informant for taking back his motorcycle on 07.11.2019.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case based on suspicion and similarly situated co-accused Prem Patel and



Suwansh Rai @ Subans Rai have been granted bail by order dated 10.08.2021 in Cr. Misc. No. 23456 of 2021 and by order dated 15.07.2021 in Cr. Misc. No. 19217 of 2021 respectively.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 26.12.2020, similarly situated co-accused have been granted bail, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Belsand P.S. Case No. 168 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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