

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34165 of 2021

Arising Out of PS. Case No.-160 Year-2020 Thana- JAHANABAD District- Jehanabad

RAVINDRA KUMAR Son of Nageshwar Yadav Resident of Mohalla -
Horilganj Near Gaya More, P.S.- Jehanabad, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh, Advocate
For the Opposite Party/s : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection with Jehanabad P.S. case No.160 of 2020 registered under Sections 279, 147, 148, 149, 353, 333, 427, 307 of I.P.C. and Sections 25(1-b)a/26/27 of the Arms Act and Sections 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that on 10.03.2020 the informant along with other police personnel during course of patrolling reached near Batish Bhawaria and saw that six persons riding on two bullet motorcycle, the police gave signal



to stop motorcycle but one of the miscreant started firing on the police party and one of the miscreant was apprehended with the motorcycle and other miscreants managed to escape. In the meantime 5-6 unknown persons started raising slogan and pelting stones upon the police party, due to which glass of police vehicle got damaged. The apprehended person disclosed his name as Vinod Yadav and from his possession two live cartridges and one empty cartridge was recovered and one live cartridge was recovered from the dicky of the motorcycle and co-accused Subham Kumar was firing upon the police party and smell of alcohol was coming out from the mouth of co-accused Vinod Yadav.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. General and omnibus allegation has been made. No arms and ammunition is said to have been recovered from the possession of the petitioner. The name of the petitioner has transpired in this case on disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case.

On behalf of the State, it is submitted that the



petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned C.J.M., Jehanabad in connection with Jehanabad P.S. case No.160 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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