

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 1323 of 2021**

Arising Out of PS. Case No.-114 Year-2020 Thana- GOPALPUR District- Bhagalpur

RAVI KUMAR @ RAVISH KUMAR SON OF DHANESHWAR YADAV
RESIDENT OF VILLAGE- LATRA, POLICE STATION- GOPALPUR,
DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Rajesh Kumar, Advocate

For the Opposite Party/s : Mr Abhay Kumar Roy, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 28-06-2021 This case has been taken up for consideration today
through Video Conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Gopalpur Police Station (for
brevity, *PS*) Case No 114 of 2020 dated 04.04.2020 instituted
for the offence punishable under Sections 302/34 of Indian
Penal Code and Section 27 of Arms Act.

The informant has identified seven persons including the
petitioner who have attacked her husband. Allegation is that all
have fired. Informant's husband has succumbed to the firearm
injuries.

It is submitted by the petitioner's counsel that from the



post mortem report, it is apparent that three gunshot injuries have been found on the victim. There is no specific allegation against the petitioner whereas against co-accused Purushottam Yadav @ Chotu Yadav and some other persons, there is either specific allegation or they are having several criminal antecedents, as per the case diary which has been received in the instant proceedings. Having no criminal antecedent and on account of being on talking terms with some of the accused persons, the petitioner has been implicated in this case and is in custody since 03.06.2020.

Learned APP for the State opposed the prayer for bail. However, on going through the case diary, he is not in a position to dispute the submission of learned counsel for the petitioner that at least, this petitioner has no criminal antecedent.

Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Naugachia, District – Bhagalpur in connection with Gopalpur PS Case No 114 of 2020 dated 04.04.2020 subject to the following conditions:-

- (i) 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. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

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

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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