

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1737 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- BHAGWANGANJ District- Patna

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Kavi Jee @ Krishn Ballabh Lal aged about 68 years Son Of Late Raj Ballabh Lal Resident Of Village - Hashadih, P. S.- Masaudhi, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for the offence punishable under sections 323/120B and other ancillary sections of the Indian Penal Code and 25 (1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, on the secret information that miscreants have assembled near the bridge of Morhar river and are planning to demand ransom from the brick kiln owners, police reached there and apprehended Dudhnath Rai and Sunil Kumar and recovered Maowadi slips and two live cartridges from them. These accused persons have taken the name of the petitioner in their confessional statement.

Learned counsel for the petitioner submits that save



and except the confessional statement of co-accused persons, no incriminating material has been recovered from the conscious possession of the petitioner and he has been implicated in this case on suspicion. Co-accused Dudhnath Rai who was arrested on the spot has already been allowed bail by a co-ordinate bench of this Court vide order dated 15.12.2020, passed in Cr.Misc.No. 33459/2020. Charge sheet has already been submitted. As stated in paragraph 3 of the bail petition, total six cases had been lodged against the petitioner and in six cases he has been acquitted and in rest two cases he is on bail. Petitioner is in custody since 20.4.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Masaurhi in Bhagwanganj Police Station Case No. 54 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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