

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11015 of 2021

Arising Out of PS. Case No.-180 Year-2019 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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Ravindra Kumar, aged about 22 years, (Male) son of Arvind Kumar Singh @
Arbind Kumar Singh, Resident of village- Khilaut @ Khilwat @ Khilbat,
Police Station- Bidupur, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Sinha, Advocate
For the State : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 03-08-2021 In view of the sudden resurgence of Covid-19 infection,

there is limited functioning of the High Court and, therefore, the

matter has been listed today for consideration through virtual

mode.

Learned counsel for the petitioner is expected to honour

his undertaking given in the instant case for depositing the

requisite court fee and to remove the defects as pointed out by

office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner seeks bail in Industrial Area PS Case No.

180 of 2019, instituted for the offence under Section 392 of the

Indian Penal Code.



The FIR alleges that two accused persons have come on a motorcycle and committed robbery of Rs. 5,97,000/- and a mobile phone from the petrol pump. Co-accused Shushil Kumar was arrested in connection with Bidupur P.S. Case No. 450 of 2019. As per his confessional statement regarding the petitioner's complicity in the '*loot*' the petitioner has been implicated and is in custody since 20.06.2020 i.e. the date, on which, he was remanded in the instant case.

The learned counsel for the petitioner submits that his mobile phone had earlier been snatched. It is, in this connection, that brother of the petitioner had filed a Complaint Case No. 928 of 2020 against the police persons. The hostility arising therefrom has led to his implication in various cases after he was initially arrested in Rajapakar P.S. Case No. 37 of 2020. Implication in the instant case is a sequel to the same. Implication is based merely on confessional statement of co-accused Shushil Kumar, having no evidentiary value. There is no recovery of any incriminating material from the petitioner and in spite of being in custody for more than a year and in spite of allegation to the extent that the informant has seen the '*loot*', the petitioner has not even been put on Test Identification Parade. He is stated to be on bail in many of the cases lodged



against him based on police hostility, as per details contained in paragraph No. 3 of the bail petition.

The learned APP representing the State has opposed the prayer for bail. He has stated that co-accused Shushil Kumar has stated about the petitioner's involvement.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM Vaishali at Hajipur**, in connection with **Industrial Area Hajipur PS Case No. 180 of 2019**, 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.

(Madhuresh Prasad, J)

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