

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7234 of 2022

Arising Out of PS. Case No.-645 Year-2020 Thana- ISLAMPUR District- Nalanda

Ravindra Prasad @ Ravindra Kumar Son Of Ramjee Yadav @ Ramjee Prasad
Resident Of Village- Dhanpat Bigha, P.S- Islampur, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Prasad, Advocate
For the Informant/s	:	Mr. Shyamal Prakash, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

7 31-08-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case for
the offences punishable under Section 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that on 22.10.2020,
named accused persons including the petitioner came out from
the house of the accused Pinki Devi with arms and surrounded
the informant's father-in-law where the deceased was irrigating
his paddy field. Further, she alleges that she along with her
gotani, namely, Rina Devi reached the cabin to feed her father-



in-law and saw that the deceased was trying to escape to save himself, thereafter, accused Chandu Yadav caught him and Ravindra Prasad (Petitioner) and Amit Prasad shot him due to which, he died.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is suffering from mental disorder and having treatment from Central Institute of Psychiatry, Kanke, Ranchi, since before the date of occurrence in support of this medical papers have been annexed as Annexure-3. Further, it is submitted that similarly situated co-accused person, namely, Amit Prasad @ Amit Kumar has been granted anticipatory bail by the lower court below. The learned counsel for the petitioner submits that the informant Sarita Devi has filed a petition before the lower court wherein, the name of the petitioner has come in this case by mistake due to name sake accused Ravindra Prasad son of Somar Yadav and there is no involvement of the petitioner in this case. Learned counsel for the petitioner submits that the petitioner is in custody since 14.02.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the informant has received the



supplementary affidavit filed by the petitioner which has not been controverted by any means through any affidavit by the learned counsel of the informant.

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

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-2, Hilsa (Nalanda) in connection with Sessions Trial No. 714 of 2021 arising out of Islampur P.S. Case No. 645 of 2020.

(Khatim Reza, J)

anand/-

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