

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8843 of 2022

Arising Out of PS. Case No.-241 Year-2021 Thana- MADHEPURA District- Madhepura

Ravi Kumar @ Ravi Shankar @ Ravi Shankar Kumar Son of Anil Yadav @
Anil Kumar Yadav R/O Village- Parwaha Korihar, P.S.- Gamhariya, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with
Madhepura P.S. Case No. 241 of 2021 registered for the offence
under Section 392 of the Indian Penal Code and Sections
25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.08.2021.

The allegation against the petitioner is to commit
robbery alongwith other co-accused and while committing so,
taken away Rs.2,500/- (Rupees Two Thousand Five Hundred)
alongwith other valuable documents of the informant.

Learned counsel appearing on behalf of the petitioner



submitted that from bare perusal of the F.I.R. itself, it appears that the name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Jay Kumar Paswan. It has further been submitted that nothing incriminating has been recovered from the physical possession of the petitioner. It has also been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail raised concern about the criminal antecedent of the petitioner as mentioned in paragraph no.3 of the bail petition.

Considering the facts and circumstances as mentioned above, as the name of the petitioner surfaced on the basis of confessional statement of co-accused leading to no recovery coupled with the fact that chargesheet in this case has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Madhepura P.S. Case No. 241 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, subject to the following conditions:



“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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