

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8984 of 2022

Arising Out of PS. Case No.-373 Year-2019 Thana- BAKHTIYARPUR District- Patna

Ravi Kant Sharma @ Ravi Singh @ Dasnumbari @ Lulha, aged about 45 years, Male Son of Late Ram Nandan Sharma, Resident of Village - Bakhtiyarpur, Ward no.4, P.S.- Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 373 of 2019 registered for the offence punishable under Section 395 of the Indian Penal Code.

The accusation against petitioner to commit dacoity in the house of the informant.

The petitioner is not named in the FIR and is in custody since 11.06.2021.

Learned counsel appearing on behalf of the accused-petitioner submitted that the name of the accused petitioner has been surfaced in the present case on the basis of confessional statement of co-accused Gautam Kumar. Learned counsel



further submitted that nothing recovered, in furtherance of said confession which may suggest involvement of petitioner in the present case. Learned counsel submitted that chargesheet has already been submitted in the matter and as such there is no chance of tampering with the evidence. Learned counsel submitted that as regard to the criminal antecedent, it is stated in paragraph no. 3 of the bail petition that in most of the cases the name of the accused/petitioner surfaced on the basis of confessional statement of the co-accused and in number of cases he is on bail.

Learned APP appearing on behalf of the State while opposing the prayer for bail raised his concerned about the criminal antecedents of the petitioner.

Considering the aforesaid facts and circumstances, as name of the accused/petitioner surfaced on the basis of confessional statement, leading no recovery, coupled with the fact that the chargesheet has been submitted and as such there is no chances of tampering with the evidence, let the petitioner, above named, is directed to be released on bail in connection with Bakhtiyarpur P.S. Case No. 373 of 2019 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,



Barh Patna subject to the following condition:-

“(i) That accused/petitioner shall not involve in the similar nature of offence during the pendency of trial, if found so, the State shall be at liberty to move before the trial Court itself for cancellation of bail of the petitioner.

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

(iii) The accused/petitioner shall be physically present on each and every date during trial, the exemption from the personal appearance be allowed only on the medical ground of the accused petitioner fully supported by documents”.

(Chandra Shekhar Jha, J)

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