

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11747 of 2022

Arising Out of PS. Case No.-40 Year-2021 Thana- PANDARAK District- Patna

RAVI KUMAR Son of Bharat Prasad @ Bharat Yadav R/o Village- Bampur,
P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 302, 120(B) and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

The father of the informant is said to have been
died due to fire arm injury inflicted by the petitioner and
others.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case merely on the basis of suspicion. He
further submits that there general and omnibus allegation
against the petitioner and no specific allegation of assault is



attributed to him. He further submits that the specific allegation of firing is attributed to the co-accused, Sanjay Kumar who allegedly fired upon the father of the informant. He further submits that at best the petitioner can be said to be a member of mob only. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 05.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Pandarak P.S. Case No. 40 of 2021 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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