

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22867 of 2022

Arising Out of PS. Case No.-654 Year-2018 Thana- MASAUDHI District- Patna

Ashok Ravidas S/O Dasai Ravidas R/o village- Tiskhora, P.S.- Masaurhi,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 05-09-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Masaurhi P.S.Case No. 654 of 2018 for the offences
punishable under Sections 302 and 34 of the Indian Penal Code.

As per allegation made in the FIR five named accused
persons including the petitioner came to the house of the
informant on hearing screaming of her husband, the informant
woke up and she saw the accused Mosaphir Ravidas and this
petitioner having pistol in his hand and other accused fleeing
from the house of the informant and she found her husband dead
as a result of gun shot injury.



Learned counsel for the petitioner submits that from the FIR, it is evident that the informant is not an eye witness to the alleged occurrence and she has alleged that she saw the accused persons, while they fleeing away. Save and except the aforesaid facts, there is no other materials suggesting the complicity of the petitioner in the said crime. He next submits that considering the aforesaid aspect of the matter the other co-accused persons named in the FIR and also the person against whom, it is alleged that he was fleeing with pistol namely, Mosaphir Ravidas has already been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 48700 of 2019 vide order dated 10.06.2020. He lastly submits that the petitioner having fair antecedent is in custody since 01.03.2021.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that other co-accused persons having identical as well as general allegation have already been granted bail by the learned Co-ordinate bench of this Court, coupled with the period of incarceration, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of learned Sessions Judge, Masaurhi, Patna in connection with Session Trial no. 721 of 2019 arising out of Masaurhi P.S. Case No. 654 of 2018 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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