

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28387 of 2022

Arising Out of PS. Case No.-19 Year-2021 Thana- SUIYA District- Banka

RAVINDRA KUMAR RAI Son of Puran Rai Resident of Village - Maltaria,
P.S.- Suiya, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallawi, Advocate

For the Opposite Party/s : Mr.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2022 Heard Ms. Kumari Pallawi, learned counsel for the
petitioner and the learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Suiya P.S. Case No.19/2021 instituted under Sections
16,18,20 UPA Act.

As per the allegation in the FIR, a Panchayat Sarkar
Bhawan was under construction and it is alleged that on
04.03.2021, when the concerned officials visited the site, a
poster was there with following statement:

*“Lal Salam, Kam Ko Band Kro Nhi To
Bemout Mare Jaoge.”*

Learned counsel for the petitioner submits that the
poster can be affixed by anyone at any place and the said



allegation cannot be attributed to anyone much less the petitioner herein. She further submits that one Umesh Rai was arrested in the matter and on his confessional statement, the petitioner has been taken into custody and he is in jail since 29.07.2021 despite the fact that he has no criminal antecedent.

Taking into account the aforesaid fact as also that he is in custody since 29.07.2022 and charge-sheet stands submitted as also that he has no criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Suiya P.S. Case No.19/2021 to the satisfaction of learned Additional Chief Judicial Magistrate,I, Banka, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

Before parting, this Court would like to put on record its word of appreciation for Ms. Kumari Pallawi, learned counsel appearing on behalf of the petitioner for the assistance rendered in the matter.

(Rajiv Roy, J)

Prakash Narayan /-

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