

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31010 of 2022

Arising Out of PS. Case No.-174 Year-2021 Thana- GANDHIMAIDAN District- Patna

RAVI KUMAR S/o Ramdhani Rai R/o village- Mahisaul, P.S.- Runi Saidpur,
District- Samastipur, Presently residing of Kurzi Mohammadpur, P.S.-
Phulwarishariff, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Kumar Jha

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Gandhi Maidan P.S. Case No. 174 of 2021 registered for the
offences punishable under Sections 379 of the Indian Penal
Code.

As per prosecution case, the informant has parked
his vehicle in question and after returning from the state bank he
found that the vehicle in question was not at the place where he
has parked.



Learned counsel for the petitioner submits that petitioner is in custody since 09.12.2021. Petitioner bears criminal antecedent of 5 cases of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the name of the petitioner has been falsely implicated in this case as he was remanded in Gandhi Maidan P.S. Case No. 457 of 2021 under Section 414 of I.P.C. and the confessional statement recorded by the police. FIR has been lodged against unknown

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate XIV, Patna in connection with Gandhi Maidan P.S. Case No. 174 of 2021, subject to following



conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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