

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49770 of 2021**

Arising Out of PS. Case No.-76 Year-2015 Thana- RAFIGANJ District- Aurangabad

SANTOSH RAVIDAS @ PAPPU @ AJAY JI @ AJAY @ SANTOSH DAS
Son of Aklu Rabidas @ Ram Swarup Ram Resident of Village - Sonarchak,
P.S. - Salaiya, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 22-02-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code, section 27 of the Arms Act and section 17 of the C.L.A. Act.

As per the prosecution case, on a dead body being recovered, enquiries were made but the identification could not be ascertained. It further transpired that the accused persons including the petitioner herein as also 20-22 others were seen taking away one person followed by sound of firing and the accused were raising slogans of 'Maoist Jindabad'.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There



is no eye witness to the actual occurrence. No incriminating material has transpired in course of investigation to connect the petitioner with the alleged crime. The petitioner is in custody since 10.7.2020 and the co-accused Tyagi Jee and Bhupendra Rajak have been enlarged on bail vide order dated 7.4.2021 passed in Cr. Misc. no.38472 of 2020 and order dated 21.12.2021 passed in Cr. Misc. no.26220 of 2021 respectively.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including grant of bail to the above named two co-accused, the Court directs the petitioner to be enlarged on bail in connection with Rafiganj P.S. Case no.76 of 2015 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge XIV, Aurangabad.

As it transpires from the order granting bail to co-accused Bhupendra Rajak, the trial in the court below having commenced and two witnesses having been examined on behalf of the prosecution, it is directed that the petitioner shall cooperate in the trial and shall remain physically present in Court on each date. In case of the petitioner is not cooperating



in the trial or remaining absent on any date for reasons not to the satisfaction of the learned trial court, the learned trial court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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