

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50796 of 2021

Arising Out of PS. Case No.-35 Year-2018 Thana- SALAIYA District- Aurangabad

Santosh Ravidas @ Pappu Ravidas @ Agamjee S/O Ramswarup Ram R/O
Village-Sonarchack Tola, Sonari Bigha, P.S-Salaiya, District-Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Adv
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in Salaiya P.S. Case No.35 of 2018 instituted for the offence under Sections 386,387/34 Indian Penal Code, Section 4/5 of the Explosives Substance Act, Sections 25(1-b) a, 26, 35 of the Arms Act and Section 17 C.L.A. Act.

In the written report, it is alleged that police caught Ramjee Bhuiyan and he confessed his involvement in naxal



activities since 2008. He disclosed name of the petitioner and other accused persons.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of confessional statement of co-accused, namely, Ramjee Bhuiyan. He further submits that nothing has been recovered from conscious possession of the petitioner and the co-accused, namely, Ramjee Bhuiyan has been granted bail vide order dated 04.02.2019 in Cr. Misc. No. 6201 of 2019, co-accused, namely, Ashutosh Yadav @ Jugal Jee has been granted bail vide order dated 22.04.2019 in Cr.Misc. No.5766 of 2019 and Bihari Rawani @ Bihari Rajak @ Shyam Bihari Prasad @ Bihari Chandrabanshi has been granted bail vide order dated 20.06.2019 in Cr. Misc. No. 37392 of 2019 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 13.07.2018.

Vide order dated 03.01.2022 a report was called for with regard to the present stage of the trial. Report reveals that the charge was framed on 04.03.2021 and prosecution has not examined any witness as yet.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries eight



more cases other than the present one.

Considering the aforesaid facts and period of custody, let the petitioner, above named, 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 Salaiya P.S. Case No.35 of 2018, 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 cancelled 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)

Nitesh/-

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