

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51818 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- DULHIN BAZAR District- Patna

Ravi Kumar Son Of Lalan Singh R/O Village- Kaab, P.S.- Ranitalab, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioner and learned APP
for the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Dulhin Bazar P.S. Case No. 211 of 2020 registered under Sections 302/34/120B of the Indian Penal Code and Section 27 of Arms Act.

Informant's brother had gone for morning walk along with Vijendra Kumar. Later, informant has come to know about his brother being shot dead by unknown motor-cycle borne four assailants. The brother of the informant has scummed to injuries while undergoing treatment.



The learned counsel for the petitioner submits that the petitioner's name has been stated by co-accused Chandan Kumar merely for the reason that petitioner was supporting one Munim Sharma in *Panchayat* elections to which the said Chandan Kumar was averse. The co-accused Chandan Kumar who has named the petitioner, has been allowed bail in Cr. Misc. No. 25184/2021. Munim Sharma has also been allowed bail in Cr. Misc No. 30518/2021. Other similarly situated co-accused Dibyanshu Kumar has also been allowed bail in Cr. Misc. No. 41087/2021. Petitioner, however, continues to be in custody since 04.03.2021, more than a year. As per disclosure in para 3, The petitioner is stated to be having one criminal antecedent prior to the instant case. Subsequently, as per submission of the petitioner's counsel, he has also been made accused in Ranitalab P.S. Case No.283/2020. He is on bail in these two cases as per submission of the petitioner's counsel.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, the fact that other similarly situated co-accused persons have been allowed bail, petitioner's custody is for more than a year and that charge-sheet has been submitted without conducting any T.I.P; and there is no allegation of tampering with the evidence, petitioner's prayer for



bail is allowed.

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 Judicial Magistrate-1st Class, Danapur, Patna in Dulhin Bazar P.S. Case No. 211 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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