

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55929 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- KANGLI District- West Champaran

Ravindra Das @ Niranjan Giri @ Baba Son Of Vira Das R/O Village-
Gulariya, P.S.- Gopalpur, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-03-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by Stamp Reporter within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Kangli P.S. Case No. 33 of 2021 registered for the offences punishable under Section 412 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act. He is in custody since 27.04.2021. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the informant being the S.H.O. of Kangli Police Station got information from the S.H.O. of Gopalpur Police Station that the miscreants after causing injury to the driver of one pickup van bearing registration no. BR05-GA-2727 are fleeing towards Sikta. On getting this information, the informant started checking of



vehicles and in that course the said Pickup van was seen coming from the side of Sikta which was intercepted then three persons jumped outside the vehicle and started fleeing but on chase one person was apprehended who disclosed his name as Rabindra Das (the petitioner). The apprehended person disclosed the name of another escaped person as Jafir Miyan and about another he did not know. On search one loaded country made pistol and one live cartridge of .315 bore were recovered from his possession.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner has not been arrested from the vehicle rather it is alleged that he was caught on chase. The petitioner is in custody since 27.04.2021 having no criminal antecedent.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the materials showing that the petitioner was not arrested with the vehicle rather the allegation is that he was arrested while trying to flee away and from his possession one country-made loaded katta with one live cartridge of 0.315 bore was recovered and one live cartridge was recovered from the bag but the petitioner has remained in custody in connection with this case for almost one year, investigation against him is complete, he has otherwise no criminal antecedent as stated in paragraph '3' and his presence may be secured in course of trial, this Court directs release



of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri. Mritunajay Singh, learned J.M. 1st Class, Bettiah, West Champaran in connection with Kangli P.S. Case No. 33 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C.

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 steps 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

