

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55943 of 2021

Arising Out of PS. Case No.-140 Year-2013 Thana- GOH District- Aurangabad

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SANTOSH RAVIDAS @ AGAM @ PAPPU RAVIDAS @ PAPPU Son of
Ramswarup Ram Resident of Village - Sonarchak Tola, Sonari, P.S.- Salaliya,
Dist.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendar Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 06-09-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Dharmendar Kumar Singh, learned counsel
for the petitioner as well as learned Additional Public Prosecutor
for the State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Goh P. S. Case No. 140 of 2013
registered for the offences punishable under Sections 302, 307
and other allied sections of the Indian Penal Code and Section
27 of the Arms Act and Section 3/4 of the Explosive Substance
Act, 2017 of the C.L.A. Act and Section 10 of the Unlawful



Activities (Prevention) Act.

As per the prosecution case, it is alleged that on 17.07.2013, the SAP constables, who were posted at MBL Base Camp Gajapur for the security of the Base Camp to the Construction Company, in the meantime 250 to 300 unknown persons dressed in commando uniform started indiscriminate firing due to which three SAP constables were killed and others received injuries.

Learned counsel appearing on behalf of the petitioner submitted that the F.I.R. has been instituted against 250 to 300 unknown persons, however, the name of the petitioner has surfaced on the confessional statement of co-accused Sridhar Pathak and other accused persons, who have already been granted bail by learned coordinate Benches of this court and in support of his submissions, the orders have been annexed as annexure 2 series to the bail application. It is last submitted that the name of the petitioner has been implicated in this case only on account of past criminal antecedent and he is in custody since 28.11.2017.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner has multiple criminal antecedent and he is found involved in seven



other criminal cases.

In response to the aforesaid submissions, learned counsel for the petitioner submits that the petitioner is on bail in all the cases.

Regard being had to the nature of allegation as well as the fact that the co-accused persons, on whose confession the name of the petitioner has transpired, have already been granted bail by learned co-ordinate Bench of this court and moreover, the petitioner is in custody since 28.11.2017, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Goh P. S. Case No. 140 of 2013, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of



trial.

- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) 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 cancelling 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.

(Harish Kumar, J)

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