

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56522 of 2021

Arising Out of PS. Case No.-121 Year-2016 Thana- PAKRIDAYAL District- East Champaran

RAVI SINGH, Son of Baban Singh, Resident of Village-Nurullahpur, P.S. -
Shikarganj, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Bindeshwari Prasad, Senior Advocate Mr. Neeraj Kumar Alias Sanidh, Advocate
For the Opposite Party	:	Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-02-2022 Heard learned counsel for the parties through video conferencing.

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.

This application for anticipatory bail arises out of Pakridayal P.S. Case No. 121 of 2016 for the offence punishable under Sections 147, 148, 149, 302, 307, 120-B/34 of the Indian Penal Code and under Section 27 of the Arms Act.

In 2016, four persons were shot dead by the F.I.R. named persons and other unknown persons. One person was also badly injured.

It has been submitted by learned senior counsel for the petitioner that the petitioner is not named in the F.I.R. and his name has come in the confessional statement of the co-accused during the investigation so, it cannot be relied upon for



prosecuting the petitioner. He further submits that the confessional statement against this petitioner has no evidentiary value.

Learned APP for the State appears and opposes the prayer for anticipatory bail by submitting that this is a case of murder of four persons and causing serious injuries to one person and therefore, in such type of cases, anticipatory bail cannot be granted as has been held by the Apex Court in catena of decisions.

Considered the submissions of the parties.

It has come during the investigation that the petitioner has participated in the crime not only in the confessional statement of co-accused but from the scientific investigation conducted by the Police. The petitioner has also been found to be involved in the murder as the Police has examined the CDR of the accused persons. Moreover, the petitioner has two criminal antecedents. He is also accused in a case registered under Section 302 & 120-B of the Indian Penal Code and in another case, he is accused for the offences under Sections 461 and 379/34 of the Indian Penal Code.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this bail



application is dismissed.

Since the F.I.R. has been lodged in the year 2016, the petitioner is directed to surrender in the Court below within two weeks from today. If the petitioner does not surrender in the Court below within the aforesaid period of two weeks then the Superintendent of Police, East Champaran, will take all coercive steps for arresting this petitioner in the next two weeks and submit compliance report before this Court regarding arrest/surrender of this petitioner.

Office is directed to communicate this order to the Superintendent of Police, East Champaran, Motihari, through FAX or e-mail forthwith.

Mr. Jharkhandi Upadhyay, learned APP for the State is directed to communicate this order to the Superintendent of Police, East Champaran, Motihari, through phone or WhatsApp for its compliance.

Put up this case after four weeks awaiting the report of the Superintendent of Police, East Champaran, Motihari.

(Sandeep Kumar, J)

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