

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57846 of 2021**

Arising Out of PS. Case No.-193 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

Ram Bharoshi Singh @ Ram Bharoshi, S/O Ram Balak Singh R/O Village-  
Ratanpur, P.S-Town (RATANPUR O.P), District- Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

6      17-05-2022              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. Arun Kumar learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Begusarai Town (Ratanpur O.P.) P.S. Case No. 193 of 2020 for the offences punishable under Sections 218 of the Indian Penal Code and under Section 25 (1-b) a /26/35 of the Arms Act.

The prosecution case is that the informant along with other police personnel on a secret information that in the tender process, firing has been made in the campus of Begusarai Municipal Corporation on 13<sup>th</sup> of March 2020 and the main accused of the said case namely Ram Bharoshi Singh (petitioner) has assembled at his house with his associates. On the said information the police raided the house of the petitioner from where one country made pistol with magazine and mobile



phone were recovered. It is further alleged that 5-7 persons who were present there also fled away from the house of the petitioner.

It is submitted on behalf of the learned counsel for the petitioner that the petitioner was neither arrested on spot nor any arms and any incriminating article has been recovered from the conscious possession of this petitioner. So far as the house, from where recovery has been shown to be made is concerned the same is a joint family house. The atrocities of the police is apparent that even the female members of the family have been made accused in this case. It is further submitted that so far as the other accused persons are concerned they have been granted bail by the court below itself. It is next submitted that so far as this petitioner is concerned he has been made accused in twenty-two other cases though out of all the twenty-two cases this petitioner is acquitted in nine cases and so far as the other thirteen cases are concerned out of which he is on bail in twelve cases and he is ready to give undertaking that he will cooperate in trial. The petitioner is in custody since since 16.06.2021.

Learned APP for the State opposes the bail application and submits that this petitioner has been found involved in a large number of cases and does not deserve the privilege of bail.

Taking into consideration the submissions and the fact that the recovery has been made from a joint family house and this petitioner is neither arrested on spot nor any incriminating article has been recovered from his conscious possession and moreover, the other family members as well as other accused persons have already been granted bail by the court below itself. Apart from the fact that mere antecedent of a person cannot be a ground to refuse the prayer of bail, moreover, this petitioner is



in custody since 16.06.2021, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of CJM, Begusarai, in connection with Begusarai Town (Ratanpur O.P.) P.S. Case No. 193 of 2020 with the following conditions:

(a) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of his absence on two consecutive dates without any cogent reason, his bail bond shall be cancelled by the Court below.

(b) 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. .

**(Harish Kumar, J)**

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