

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 59745 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- MADHEPURA District- Madhepura

Ravi Kumar, S/o Ashok Yadav, Resident of Vill- Gidarahi, P.S.- Kumarkhand,
O.P.- Belari, Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-04-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Madhepura Marithi P.S. Case No. 24 of 2021 for the offences punishable under Section 394 of the Indian Penal Code. However, after investigation, charge-sheet has been submitted for the offences under Sections 397 and 412 of the Indian Penal Code.

As per prosecution case, it is alleged that while the informant was on his way to home along with one of his companion after withdrawing Rs. 2,92,500/- from the SBI,



ADB, Madhepura, four persons coming on two motorcycles intercepted and snatched his bag containing the cash and also assaulted him and thereafter fled away. The informant further alleged that he recognized one of the miscreants, namely, Nitish Kumar.

It is submitted on behalf of the learned counsel for the petitioner that the petitioner is not named in the F.I.R. and his name has transpired on the confessional statement of co-accused Rupesh Kumar. It is further submitted that this petitioner has neither identified nor put on TIP till date. It is also submitted that this petitioner is having no criminal antecedent and a bright student just passed his Matriculation and Intermediate by securing 1st Division Marks. It is next submitted that the investigation of the present case has already been concluded and the charge-sheet has also been submitted and, moreover, the petitioner is in custody since 08.03.2021.

On the other hand, learned APP for the State opposes the bail application.

Having heard the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is not named in the F.I.R. and there is no recovery from the person or possession of this petitioner, apart from the fact that



he has not been put on TIP, though he is in custody since 08.03.2021 having no criminal antecedent, let the petitioner, named above, 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, Madhepura in connection with Madhepura Marithi P.S. Case No. 24 of 2021 subject to the condition that one of the bailors will be the close relatives 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.

(Harish Kumar, J)

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