

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53702 of 2022**

Arising out of PS. Case No.-81 Year-2022 Thana- ARA RAIL P.S. District- Bhojpur

Ravi Kumar Panday S/o Visnu Pandey Resident of Churamanpur, Ward No. 07, P.S.- Audogik Kshetra, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s: Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**ORAL ORDER**

2      09-12-2022      This matter is heard *via* video conferencing.

In the instant petition, petitioner has sought for regular bail in Rail P.S. Ara Case No. 81 of 2022 for the offences under Section 414/34 of the Indian Penal Code. It is alleged that he is involved in Rail Police Ara Case No. 81 of 2022 for the offences under Section 414/34 of IPC and he is in custody since 31.05.2022. He had filed bail application *vide* B.P. No. 4646 of 2022 on the file of Additional Sessions Judge-XIII, Bhojpur, Ara and it was rejected on 10.08.2022. Hence, the present regular bail petition under Section 439 Cr.P.C. The Additional Sessions Judge-XIII, Bhojpur at Ara has recorded its finding as under:-

*"Considering the nature of the offence and the above-mentioned facts and circumstances, I am not inclined to enlarge*



*the petitioner on bail at this stage. Accordingly, the prayer for bail of the petitioner Ravi Kumar Pandey in connection with Rail Police Station Case No. 81 of 2022 stands rejected. However, considering this fact that no criminal history is mentioned in the case diary against the petitioner, the petitioner would be at liberty to review his prayer for bail if the trial of the case would not be concluded within a period of sixty days from the first date fixed for taking evidence in the case."*

In the light of the observations made by the Additional Sessions Judge-XIII, Bhojpur at Ara the petitioner has made out a prima facie case for granting regular bail since trial has not yet concluded. Further, in para 36 of the case diary, it is stated that he is not involved in any other case, thus, he has made out a case for granting regular bail.

Accordingly, regular bail is granted to the petitioner namely Ravi Kumar Pandey on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties to the satisfaction of Chief Judicial Magistrate, Ara in connection with Rail Police Station Ara Case No. 81 of 2022 with the following conditions:-

1. The petitioner shall co-operate in investigation and in conclusion of the trial.
2. He shall remain present on each and every date of trial till conclusion of trial.



3. He shall not try to tamper with the evidence or intimidate the witness to delay the conclusion of trial.

4. In the event of default of two consecutive dates without any valid reasons, his bail bonds is liable to be cancelled.

5. The Court below shall verify the criminal antecedent of the petitioner and in the case, at any stage, it is found that petitioner had concealed his criminal antecedent, the court below or investigating authority shall take immediate step for cancelling bail bond of the petitioner. However, acceptance of bail bonds, in terms of the aforementioned order shall not be delayed for this purpose or in the name of verification.

**(P. B. Bajanthri, J)**

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