

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65053 of 2021

Arising Out of PS. Case No.-656 Year-2021 Thana- FATUA District- Patna

RAVINDRA RAI @ RAVINDRA PRASAD Son of Late Ramashray Rai
Resident of Village- Janaki Tola, P.S. - Fatuha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shruti Sinha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Fatuha
P.S. Case No. 656 of 2021 registered for the offence under
Sections 447, 341, 323, 325, 307, 504, 506 and 34 of the Indian
Penal Code and Section 27 of Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.09.2021.

The allegation against the petitioner is to cause fire
arms injury, with intention to cause death of one of the injured,
namely, Saryug Rai, who is father of the informant.

Learned counsel appearing on behalf of the petitioner



submitted that injury report is negating in its totality that petitioner fired upon abdomen of injured, namely, Saryug Rai, with intention to cause death for the reason that all pellet injuries found over leg and thigh and are simple in nature. It has further been submitted that the petitioner is involved in two other cases and in both the cases, he is on bail. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel appearing on behalf of the informant opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as injury report of injured, Saryug Rai contradict the specific allegation of fire on abdomen as set out in the FIR coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Fatuha P.S. Case No. 656 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Patna City, subject to the following conditions:



“(i)That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Reena Kumari, who is the wife of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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