

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66648 of 2021

Arising Out of PS. Case No.-121 Year-2021 Thana- DIGHA District- Patna

RAVI RAI @ RAVI GOPE @ RAVI SHANKAR Son of Satya Narayan Rai
Resident of Ramjee Chak, Police Station - Digha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Digha P.S.
Case No. 121 of 2021 registered for the offences punishable
under Sections 384, 385, 386 of the IPC.

The gist of the prosecution case is that the informant
having received confidential information regarding collection of
extortion money from tempo drivers reached at the place of
occurrence and apprehended two persons and also recovered
one register and Rs. 1440/- from their possession.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR that allegation against the petitioner is that on his instance, co-accused persons had collected the tax from the tempo drivers. He further submits that not a single independent witness or any auto driver has come forward to record his statement against the petitioner. He further submits that police after investigation submitted charge sheet against the petitioner on 25.05.2021 and the petitioner is in custody since 23.03.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries four criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Patna in connection with Digha P.S. Case No. 121 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present



as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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