

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66886 of 2021

Arising Out of PS. Case No.-538 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

RAVI PATEL Son of Dular Singh Resident of Village- Bhabhua Town, Ward
no.18, P.S.- Bhabhua, Distt.- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Achhaibar Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Supplementary affidavit, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which is kept on record.

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

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 279, 323, 337, 307, 427,504 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the stone chips loaded tractor collided with the pillar of informant. When the informant asked, the



tractor driver became infuriated and he called 20-25 persons. They started hurling stones. Co-accused Chandan Singh also fired two shots, but it did not hit the informant. Petitioner Ravi Patel has also assaulted him on his nose by hockey stick. The brother of the informant also injured.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the tractor was not driven by the petitioner and the tractor was driven by one Rajan Kumar Ram who was also filed a case against the father of the informant. He further submits that the allegation against the petitioner is that he assaulted the informant by hockey stick. Learned counsel for the petitioner submits that in fact the injury report shows that the injury is grievous in nature. There is no repetition of assault. Petitioner is in custody since 04.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the aforesaid facts, 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 learned Court below where the case



is pending in connection with Bhabhua P.S. Case No. 538 of 2020, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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