

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67017 of 2021

Arising Out of PS. Case No.-177 Year-2021 Thana- NADI P.S. District- Patna

RAVI KUMAR S/o Mahendra Chaudhary R/o Jagatpur, P.S.- Lodhipur, Distt-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-05-2022 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four
weeks.

The petitioner is in judicial custody in connection
with Nadi P.S. Case No. 177 of 2021 instituted under Sections
120(B)/34 of the Indian Penal Code and Section 25(1-AA) (I),
(ii)/35 of the Arms Act.

As per the prosecution story, upon information, police
raided the house of Ram Eqbal Mahto on 30.06.2021 and found
that the said Ram Eqbal Mahto along with his son Randhir
Mahto together with number of labourers were in the process of
making country-made revolvers. The articles were seized and
the persons present there including the petitioner herein was
arrested.



Learned counsel for the petitioner submits he is victim of circumstances and he is in jail since 01.07.2021 (as stated in para-12 of the bail application). He further submits that he does not have any criminal antecedent and if it is found that he had have any criminal antecedents, this bail application may become infructuous.

Taking into account the aforesaid fact that the charge sheet has been submitted, the petitioner is in jail since 01.07.2021 and do not carry any criminal antecedent, this Court is inclined to grant him the privilege of bail. However, if it is found that he do have criminal antecedent, thus bail order shall become infructuous.

Let the petitioner 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 ACJM-VI- Patna City in connection with Nadi P.S. Case No. 177 of 2021, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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