

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70854 of 2021

Arising Out of PS. Case No.-308 Year-2018 Thana- RIGA District- Sitamarhi

-
1. Ramnath Prasad @ Ramnath Das S/o Vishundev Das Resident of Village-Ramnagara, P.S.- Riga, District- Sitamarhi.
 2. Ram Binod Prasad @ Binod Sah S/o Vishundev Das Resident of Village-Ramnagara, P.S.- Riga, District- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-07-2022 This application has been listed under the heading
“For Orders”.

Registry has pointed out several defects in the present application.

Mr. Alok Kumar Jha, learned counsel for the petitioners submitted that the defects are mainly because only e-filing of the applications are permitted by the Court. He submitted that the defects can be removed only after filing of hard copy is permitted. He undertook that even if the applications are heard and disposed of on merit, in due course of time, when the Court would permit filing of hard copy, the defects pointed out by the registry would be removed.

In view of the submissions made by the learned counsel for the petitioners, with consent of the parties, the



application has been taken up for hearing on merit.

The petitioners seek pre-arrest bail in connection with Riga P.S. Case No. 308 of 2018 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 337, 338, 436, 427, 332, 333, 153, 153A, 295, 295A, 120B, 504 and 506 of the Indian Penal Code.

At the outset, learned counsel for the petitioners submitted that during pendency of the application, the petitioner no. 1 Ramnath Prasad @ Ramnath Das has been arrested by the police.

In view of the submission made above, the application as against the petitioner no. 1 Ramnath Prasad @ Ramnath Das is dismissed as infructuous.

So far as the petitioner no. 2 is concerned, it is submitted by the learned counsel for the petitioner that similarly circumstanced nine other co-accused, namely, Manoj Kumar, Sanjeev Kumar, Ram Janki Sah, Naresh Sah @ Ram Naresh Sah, Raja Sah @ Raja Ram Sah, Nandu Sah, Uma Baitha, Bhola Singh @ Nagendra Singh and Ramashankar Paswan have already been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 20.02.2019 passed in Cr. Misc. No. 10346 of 2019 and twelve accused persons, namely, Ranjeet



Prasad, Pramod Kumar, Rakesh Kumar @ Rakesh Singh, Indrajit Singh, Indrajeet Paswan, Gauri Shankar Bhagat, Vijay Singh, Baiju Prasad, Arun Kumar @ Arun Singh, Mangal Paswan, Mahesh Prasad and Pragas Baitha were granted pre-arrest bail by this Court vide order dated 23.01.2019 passed in Cr. Misc. No. 3040 of 2019.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner no. 2.

Be that as it may, considering that several other co-accused persons against whom there is identical allegation as against the petitioner no. 2 Ram Binod Prasad @ Binod Sah, he is directed to be released on bail, in the event of his arrest or surrender before the court below, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Riga P.S. Case No. 308 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

rohit/-

U		T	
---	--	---	--

