

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1513 of 2022

Arising Out of PS. Case No.-132 Year-2011 Thana- KONCH District- Gaya

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Santosh Ravidas @ Agam Jee, Son of Late Ramswoop Ravidas, Resident of
Village- Sonarchak, P.S.- Salaiyal, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 19-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Konch P.S. Case No. 132 of 2011 (G.R. No. 4356 of 2011) registered for the alleged offences under Sections 147, 148, 149, 341 and 435 of the Indian Penal Code, Section 17 of the C.L.A. Act and Sections 13, 16, 18 and 20 of the UAPA Act.

As per prosecution case, six miscreants came to the construction site of the company of the informant and taking out diesel from the drum and sprinkling the same on the JCB



machine, set it on fire. The informant named this petitioner along with other co-accused persons on the basis of identification by the villagers present at the place of occurrence.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on the basis of mere saying of the villagers. The petitioner was never put to any Test Identification Parade. Other similarly placed co-accused persons have been granted bail by different Co-ordinate Benches of this Court vide orders dated 05.04.2013 passed in Cr. Misc. No. 5113 of 2013, 13.05.2014 in Cr. Misc. No. 11119 of 2014, 19.12.2014 in Cr. Misc. No. 9696 of 2014 and 04.12.2020 in Cr. Misc. No. 28064 of 2020, respectively. The petitioner is in custody since 22.03.2018 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is a member of extremist group and in order to create terror they set the construction equipment on fire.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be



released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court of Judicial Magistrate-1st Class, Gaya in connection with Konch P.S. Case No. 132 of 2011 (G.R. No. 4356 of 2011), subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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