

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3293 of 2023

Arising Out of PS. Case No.-23 Year-2022 Thana- SANDESH District- Bhojpur

Vishnu Ray, S/o Sudarshan Ray, R/v- Nirbhaydihara, P.S.- Sikarhatta in the district of Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-04-2023 Heard Mr. Sunil Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with S.Tr. No. 266 of 2022, arising out of Sandesh P.S. Case No. 23 of 2022, registered for the offences punishable under Sections 504, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that while the informant along with the others were working as Guard on a Balu Ghat, in the meantime, two unknown persons came on a motorcycle and fired on them causing firearm injury on the leg of Ravindra Kumar Singh @ Ravi Kumar. The informant claimed to identify the assailant, as per the F.I.R.

Submission has been made on behalf of the learned



counsel appearing on behalf of the petitioner that the F.I.R. has been instituted against unknown persons. However, during the course of investigation, the petitioner was apprehended in connection with Sandesh P.S. Case No. 34 of 2022 and thereupon his confessional statement was recorded before the police and on the basis thereof his name has been implicated in this case. He next submits that though the petitioner is in custody since 13.05.2022, however, till date he has not been put on Test Identification Parade in order to verify truthfulness of the allegation made in the F.I.R. Further submissions has been made that the implication of the petitioner in the present case is on account of his criminal antecedent, as the petitioner is named in nine other criminal cases, besides the present one. He lastly submits that now the investigation of the crime is complete and the charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner appears to be a habitual offender and he is found involved in nine other criminal cases.

Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner transpired on his own confession and he has not been



put on TIP till date, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- VIII, Bhojpur, Ara in connection with S.Tr. No. 266 of 2022, arising out of Sandesh P.S. Case No. 23 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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