

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11201 of 2023**

Arising Out of PS. Case No.-235 Year-2022 Thana- SIMRI District- Darbhanga

RAVINANDAN KUMAR Son of Ram Pravesh Sahani Resident of Village-
Bishunpur Patti, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Simri
P.S. Case No. 235 of 2022 registered for the offences under
sections 398, 399, 402, 420 and 120(B) of the Indian Penal
Code and sections 25(1-b)a, 26 and 35 of the Arms Act lodged
on 01.12.2022 by the informant, Shamshad Ahmed Khan.

As per FIR, the informant-cum-SHO, Simri PS.
received information that one i20 car comes in the wee hours
and returns after committing loot. Upon this information, the
police party intercepted one i20 car and apprehended four



persons including the petitioner herein. On search, the police recovered one loaded pistol from the possession of Sudhanshu Kumar and mobiles were recovered from the possession of others apprehended accused persons including the petitioner herein. The police also recovered Rs. 11,000/- from the said vehicle. On interrogation, the apprehend accuseds stated before the police that they used to commit the loot on road on 28.11.2022 and 29.11.2022. They also disclosed that the recovered mobiles and cash are looted property. Accordingly, the FIR.

It has been contended by the learned counsel that the car does not belong to him. He was merely in the vehicle to attend the fair at Shubhankarpur Mahadeo Mandir but in between, the police intercepted the vehicle and he was also taken into custody.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the fact that he is in custody since 02.12.2022 (as stated in paragraph-12 of the bail application), do not have criminal antecedent and the car belongs to one Vicky Kumar, this Court is inclined to extend him privilege of bail.



If however, it is found that he do have criminal antecedent, the 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 like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Darbhanga in connection with Simri P.S. Case No. 235 of 2022, 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 *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 reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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