

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18207 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- MAHNAR District- Vaishali

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Ravi Kumar @ Ravi Kant Kumar @ Ravi Ray, S/O Gopal Ray, R/O Village-Shekhapur, P.S- Desri (O.P. Sahdei), Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Prasad, Advocate

For the Opposite Party/s : Mrs.Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mahnar P.S. Case No. 278 of 2022, registered for the alleged offences under Section 394 of the Indian Penal Code.

3. As per prosecution case, the informant was waylaid by four miscreants of his money and mobile phone and they also snatched his motorcycle. The name of the petitioner transpired during investigation as one of the miscreants.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. His name came up in this case on the basis of confessional statement of co-accused Sonu Kumar. Nothing incriminating has



been recovered from the person/possession of this petitioner or at his instance and no Test Identification Parade has been carried out till date. This shows there is no material to implicate the petitioner in the present case. Charge sheet has been submitted in this case and the petitioner is in custody since 18.11.2022. The learned counsel further submits that the petitioner is having criminal antecedent and is accused in two other cases, but he is on bail in both the cases.

5. Learned A.P.P. opposes the prayer for bail submitting that the co-accused named this petitioner and other co-accused as well and from the possession of other co-accused, recovery of motorcycle was made.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that no recovery has been shown from this petitioner and further considering the submission of charge sheet and the period of custody of the petitioner, he 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahnar P.S. Case No. 278 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of



Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) 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.

V.K.Pandey/-

(Arun Kumar Jha, J)

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