

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21043 of 2023

Arising Out of PS. Case No.-124 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

Ravi Rauniyar @ Ravi Kumar @ Amrendra Kumar Son of Sitaram Kumar @
Sitaram Sah Resident of Village - Bhavdepur, P.S. - Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 124 of 2021 registered on 20.02.2021 for the alleged offences under Sections 392/411 of the Indian Penal Code.

3. As per prosecution case, four miscreants entered into the office of the Gas Distribution Agency of the informant and two of them took out their weapons and threatening the informant, took away Rs.44,560/- and four mobile phones along with some documents. The informant also stated about one of the miscreants coming twenty minutes earlier and making enquiry presenting himself prospective customer. The name of the petitioner transpired during investigation as one of the



accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has recovered from the person or possession of the petitioner and he has not been put to Test Identification Parade. The petitioner has been made accused on the basis of his confessional statement in some other case. Learned counsel further submits that the petitioner has been arrested in one case and thereafter, remanded in a number of cases on the basis of his confessional statement recorded under the highhandedness of the police. Prior to the present case, petitioner was accused in four cases only and thereafter, he was remanded and made accused in six more cases. Learned counsel further submits that similarly situated co-accused Sunil Kumar @ Sunil Kushwaha has been granted bail by a Co-ordinate Bench vide order dated 22.09.2022 passed in Cr. Misc. No. 37098 of 2022. The petitioner is in custody since 07.03.2022 and charge sheet has been submitted.

5. Learned APP vehemently opposes submission made on behalf of the petitioner and submits that the petitioner is a habitual offender and accused in altogether 10 cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



fact that no recovery has been shown from the possession of the petitioner and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Sitamarhi/concerned court in connection with Runnisaidpur P.S. Case No. 124 of 2021, 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 bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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