

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23800 of 2023

Arising Out of PS. Case No.-644 Year-2021 Thana- BIHTA District- Patna

Ravi Shankar Kumar @ Ravi Singh, Son of Bipin Kumar @ Bipin Singh,
Resident of village-Pirauta, P.S.-Akabarpur, District-Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jayram Sharma, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 990 of 2022 arising out of Bihta P.S. Case No. 644 of 2021 registered for the alleged offences under Sections 302, 201 and 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, the elder brother of the informant went for his work but did not return. Next day his dead body was found near a railway track. 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. No occurrence as alleged has ever taken place. Nothing of substance came up against this petitioner to show his involvement in the alleged occurrence. Learned counsel further submits that the petitioner has been implicated in three cases after his implication in the present case and he is on bail in two such cases. The name of the petitioner came up in the confessional statement of co-accused Saurav Kumar who has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.10.2022 passed in Cr. Misc. No. 18041 of 2022. Two co-accused persons have also been granted bail by a Co-ordinate Bench of this Court vide order dated 19.05.2022 passed in Cr. Misc. No. 9059 of 2022 and Cr. Misc. No. 10966 of 2022. The petitioner is in custody since 24.03.2022 and charge sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedents.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of material against this petitioner to connect him with the offence as alleged and further considering grant of bail to similarly placed co-accused persons and also 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 bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Danapur, Patna/concerned Court in connection with Sessions Trial No. 990 of 2022 arising out of Bihta P.S. Case No. 644 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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