

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31222 of 2023

Arising Out of PS. Case No.-419 Year-2022 Thana- PARAIYA District- Gaya

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Ravi Kumar Bind @ Ravi Kumar Son Of Late Gobind Bind R/O-Ajmatganj,
Beldari Tola, P.S.-PARAIYA, Distt.-GAYA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

3. Petitioner seeks bail who is in custody since 13.11.2022 in connection with Paraiya P.S. Case No. 419 of 2022, F.I.R. dated 12.11.2022 for the offences punishable under Sections 147, 149, 341, 307, 323, 504, 506 and 120B of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

4. According to prosecution case, all the accused persons including the petitioner armed with lathi, danda and country made pistol started abusing and assaulting the informant



and her daughter. It is further alleged that this petitioner fired at the informant causing her several injuries.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the F.I.R. is in two parts and according to part one, there is general and omnibus allegation against all the accused persons including the petitioner and according to part two, there is specific and direct allegation against the petitioner that he has fired upon the informant. He further submits that in the re-statement of the informant the allegation was against the co-accused, namely, Raj Kumar Ram @ Ballu who has been granted bail by a co-ordinate Bench of this Court vide order dated 15.05.2023 passed in Cr. Misc. No. 13268 of 2023. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.11.2022.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail **after framing of charge** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Paraiya P.S. Case No. 419 of 2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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