

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38337 of 2023

Arising Out of PS. Case No.-416 Year-2021 Thana- NAUGACHIA District- Bhagalpur

RAVI KUMAR @ RAVI SINGH S/O SRI SHIV SINGH R/O Village-
Harnathchak, P.S- Gopalpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-07-2023 Learned counsel for the petitioner is permitted to make necessary correction in para 13 of the bail petition filed on behalf of the petitioner.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Naugachia P.S. Case No. 416 of 2021 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code read with Section 27 of the Arms Act.

As per prosecution case, Rs. 2,50,000/- in cash alongwith two mobiles of informant and others were snatched by miscreants. It is further alleged that miscreants fired upon informant's driver and one of miscreants assaulted the elder brother of the informant and F.I.R. has been lodged against



unknown.

Learned counsel for the petitioner submits that petitioner is not named in F.I.R. and his name has been transpired upon the confessional statement of co-accused Amar Kumar. Except confessional statement, there is nothing on record to demonstrate the complicity of the petitioner with the alleged occurrence. He further submits that no looted amount has been recovered from the possession of the petitioner. No T.I.P. has been conducted uptill now. He further submits that petitioner is in custody since 21.01.2023 and bears criminal antecedent of eight cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner keeping in view the criminal antecedents of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge – Ist, Naugachia in connection with Naugachia P.S. Case No. 416 of 2021, S.Tr. No. 638 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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