

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45371 of 2023

Arising Out of PS. Case No.-873 Year-2022 Thana- MADHEPURA District- Madhepura

RAVINDRA KUMAR @ RAVINDER KUMAR SON OF KARI SHARMA
RESIDENT OF VILLAGE- SAHUGARH DIWANI KATIAYA TOLA,
WARD NO. 15, PS AND DIST- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Adv.
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Madhepura P.S. Case No. 873 of 2022 dated 11.09.2022
registered for the offence under Sections 447 and 307 of the
Indian Penal Code and Section 27 of the Arms Act.

The petitioner is alleged to have opened fire upon the
son of the informant while he was sitting on the door along with
his family members due to which he sustained deadly injury.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offence. He further submits



that neither any arms nor any cartridges have been recovered from the conscious possession of the petitioner. He further submits that there is case and counter case between the parties. He further submits that according to the F.I.R., the petitioner has shot fired upon the sons of the informant but the injury report does not contain the nature of injury as to whether it was grievous or superficial or sustained on the vital part of the body or not. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 03.04.2023.

Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation of firing leveled against the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Madhepura P.S. Case No. 873 of 2022 with 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/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be canceled 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.

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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