

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47749 of 2023

Arising Out of PS. Case No.-145 Year-2022 Thana- MIRGANJ District- Gopalganj

RAVI RAM @ RAVI KUMAR RAM S/O KAMLESH RAM @ KAMAL
BASH RAM R/O VILLAGE- GAURUP SAMAIL, PS. MIRGANJ, DIST.
GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Mirganj
P.S. Case No. 145 of 2022 registered for the offence under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The nephew of the informant is alleged to have been
killed by the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case merely on the basis of suspicion. He further submits
that it is apparent from the F.I.R. itself that the petitioner had
informed the informant about the alleged occurrence. He further
submits that if the petitioner has committed the murder of the



nephew of the informant, he would not have come to the house of the informant and inform him about the present occurrence. He further submits that there is no eye witness to the alleged occurrence and merely on the basis of suspicion, the petitioner has been implicated in this case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. 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 26.05.2023.

Learned counsel for the informant as well as learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that it has come during the investigation that the petitioner has been involved in the present occurrence. Apart from aforesaid, the petitioner carries one more case other than the present one but he fairly submits on the basis of paragraph-3 of the petition that he has been allowed bail in that very case.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XV, Gopalganj in connection with Mirganj P.S. Case No. 145 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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