

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54245 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Ravi Prakash @ Ravi Kumar Son of Lalit Mohan Sahay Resident of Village -
Gangathi, P.S.- Ahiyapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Ahiyapur P.S. Case No. 33 of 2023, registered on 08.01.2023, for the alleged offence under Sections 399/402 of the Indian Penal Code and Section 25(1-b)a/26, 35 of the Arms Act.

03. As per prosecution case, the police received information about gathering of some miscreants at an identified place making plan to commit *dacoity*. The place was raided and three accused persons were apprehended and two accused fled away from the spot. The petitioner is stated to be one of the escaped miscreants. Further allegation against the petitioner is that he was carrying a weapon from another co-accused and



fired upon a person from whom they demanded extortion money of Rs. 50,00,000/-.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been dragged in this case on the basis of confessional statement of co-accused persons. The petitioner is a student of BA and has been preparing for competitive examination and his name has been given in this case due to jealousy. No cogent evidence has come up against this petitioner. The petitioner is an accused in Ahiyapur P.S. Case No. 17 of 2023 registered under Section 387/506 of the IPC and 27 of the Arms Act, in which, he has been granted anticipatory bail by the learned court below. Learned counsel further submits that another co-accused, namely, Rohit Kumar, who has named this petitioner, has been granted anticipatory bail by the learned Additional Sessions Judge-XIII, Muzaffapur.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the possibility of false accusation, let the petitioner, above named, in the event of his arrest or surrender before the court concerned



within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 33 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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