

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53473 of 2022

Arising Out of PS. Case No.-221 Year-2022 Thana- FATUA District- Patna

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Ravindra Rai @ Ravindra Kumar Rai Son of Sri Vijay Rai Resident of Village
- Bagmali, P.S.- Hajipur Nagar, Distt.- Vaishali (Hajipur).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 28-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 399, 402 of the Indian Penal
Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

Recovery is of one country made pistol, one live
cartridge and one mobile phone from the possession of the
petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that one country made pistol, one live



cartridge and one mobile phone has been recovered from the possession of the petitioner. He further submits that after filing of the present F.I.R. the police has implicated the petitioner in other three cases which is mentioned in paragraph no. 3 of the bail petition. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.03.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Fatuha P.S. Case No. 221 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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