

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56879 of 2023

Arising Out of PS. Case No.-72 Year-2014 Thana- TEGHRHA District- Begusarai

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RAVI YADAV @ RAVI GOPE @ ALOK SON OF LATE CHHANULAL
YADAV RESIDENT OF VILLAGE- R.K. AVENUE ROAD, NALA ROAD,
LANGAR TOLI, PS- KADAMKUAN, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is in judicial custody in connection
with Teghra P.S. Case No. 72 of 2014 registered under
Section 414 of the Indian Penal Code and Sections 25 (1-
b)A, 26 and 35 of the Arms Act lodged on 13.03.2014 by
the informant, Uma Kant.

As per the prosecution story, the allegation is that
while intercepting the vehicle, the police apprehended the
accused persons but some of the accused persons managed to
escape. The arrested people named accomplices, the petitioner
being one of them. In the presence of independent witnesses,



search was made and pistol/magazine/live cartridges and mobiles have been recovered/seized. Accordingly, the FIR.

It is a case of the petitioner that his name has come in the confessional statement of the accused persons. He was aware of it and as such for one decade, he failed to surrender. His last submission is that others similar situate persons has been extended the privilege of bail.

Learned APP, on the other hand, submits that not only he evaded arrest for nine (9) years, he has criminal antecedent and *inasmuch* as he is an accused under Sections 302, 307, 395 and 392 in 13 such cases. Further, it is not the case that after nine years, he surrendered rather arrested in a different case and remanded in the present case on 03.12.2022 and since then he is in jail.

Having gone through the facts of the case, the materials on record as also the submissions put forward by the learned counsel for the petitioners, his name has come in the confessional statement of the accused persons, subsequently some of them have been enlarged on bail, it is correct that he has evaded arrest for nine years, this Court is inclined to grant him privilege of bail only after the framing



of the charge, subject to conditions:

Let the petitioner be released on bail after framing of charge on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Munsif cum J.M.F.C., Teghra, Begusarai in connection with Teghra P.S. Case No. 72 of 2014, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;



(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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