

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57169 of 2023

Arising Out of PS. Case No.-99 Year-2022 Thana- MIRGANJ District- Purnia

Ravi Kumar @ RAVI Kumar Mehta Son Of Sri Shivakant Singh Resident Of
Village -Koriyari Tola Dhamdaha, P.S- Dhamdaha, District -Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2023 In view of the supplementary filed on behalf of the
petitioner, the petitioner is directed to correct in paragraph-1 as
well as prayer portion of the petition during course of the day.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. Petitioner seeks bail, who is in custody since
21.03.2023, in connection with Mirganj P.S. Case No. 99 of 2022,
F.I.R. dated 09.08.2022 registered for the offences punishable
under Section 392 of the Indian Penal Code.

4. The F.I.R. of the occurrence of loot is against
unknown.

5. Learned counsel for the petitioner submits that
the petitioner is innocent and he has been falsely implicated in
the present case. He further submits that the petitioner is not
named in the F.I.R. and the name of the petitioner has been
transpired during investigation on the basis of confessional



statement of co-accused person namely Pir Mohammad who is also accused in Dhamdaha P.S. Case No. 300 of 2022 and except the confessional statement of co-accused person, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner and till date no test identification parade was conducted by the prosecution. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.03.2023.

6. The learned Additional Public Prosecutor for the State, on the other hand, on the basis of material available on record as well as case diary, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one but fairly submits that the petitioner has not been remanded in Dhamdaha P.S. Case No. 300 of 2022 and the petitioner is on bail in all the pending cases as mentioned in paragraph-3 of the petition.

7. Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia in



connection with Mirganj P.S. Case No. 99 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 witness, 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 antecedents, 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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