

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58992 of 2023

Arising Out of PS. Case No.-76 Year-2021 Thana- BELDOUR District- Khagaria

Ravi Shankar Kumar @ Ravi Kumar, Son of Nityanand Yadav R/o Chhoti
Bahurva Bhatauni Ward No 7 PS- Simri Bakhtiyarpur Dist-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Adv.
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-12-2023 Heard Mr. Sanjeev Verma, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Beldour P.S. Case No. 76 of 2021 registered for the offence punishable under Section 392 of the Indian Penal Code.

3. Allegedly, while the informant was coming from Tata Yodha Pickup, in the meantime, four unknown miscreants, boarded in a car intercepted him and looted away his pickup van, cash and other valuables.

4. Learned counsel for the petitioner submits that from the narrative of the FIR, it is evident that the alleged occurrence took place on 07.04.2021 whereas the FIR has been instituted on 09.04.2021 against unknown miscreants. However,



during the course of investigation, co-accused, namely, Abhijit Kumar was apprehended and from whose confession, the name of the petitioner and others surfaced. He further submits that in course of investigation, the vehicle in question was recovered near the Upgraded Middle School, Goghsham and the same has been handed over to its real owner. During the entire investigation, neither any material has come suggesting the complicity of the petitioner in the present crime nor any incriminating material has been recovered from the whereabouts of the petitioner. That apart, there are various inconsistencies in the written statement of the informant vis-à-vis the statement recorded under Section 161 CrPC. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the confessional statement, there is no material suggesting the complicity of the petitioner, coupled with his fair antecedent and the fact that the vehicle in question was



recovered from an open place, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Khagaria in connection with Beldour P.S. Case No. 76 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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