

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63915 of 2022**

Arising Out of PS. Case No.-149 Year-2022 Thana- PATNA CITY CHOWK District- Patna

RATAN YADAV @ RATAN LAL YADAV S/o Late Jagdish Prasad Yadav  
R/o Mohalla- Mangal Talab, Chiktoli, P.S.- Chowk, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      05-04-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 04.04.2022, in connection with S.Tr. No. 1078 of 2022, arising out of Chowk P.S. Case No. 149/2022, F.I.R. dated 30.03.2022, registered for the offences punishable under Sections 302, 201, 120(b), 386, 201 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, when the informant and owner of the Til Oil Factory namely, Pramod Kumar Bagla went his factory, in the meantime, accused persons also came and demanded extortion money. It is further alleged that the co-accused persons opened fire upon them as a result of which Pramod Kumar Bagla sustained injury and later on died.



Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been 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 the confessional statement of the co-accused person, namely, Monu Kumar and self confessional statement of the petitioner. He further submits that there is specific allegation of shot firing attributed against the accused persons, namely, Golu @ Rohit Kumar and Ranjeet Kumar @ Belchhi. He further submits that it has come during investigation on the basis of the CCTV footage that the petitioner was not seen at the place of occurrence. He further submits that till date no T.I.P. has been conducted by the prosecution and similarly situated, co-accused, namely, Vicky Kumar has been granted bail by this Court vide order dated 29.03.2023, passed in Cr. Misc. No. 62311 of 2022, another Co-accused, namely, Rakesh Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.10.2022 passed in Cr. Misc. No.36198 of 2022 and another co-accused, namely, Ajit Kumar @ Ajeet Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 18.10.2022 passed in Cr. Misc. No.37072 of 2022, another



co-accused namely, Kundan Kumar has been granted bail vide order dated 09.01.2023 passed in Cr. Misc. No.44514 of 2022 by a Co-ordinate Bench of this Court and another co-accused namely, Dhiraj Kumar has been granted bail vide order dated 07.02.2023 passed in Cr. Misc. No. 59949 of 2022 by a Co-ordinate Bench of this Court. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 04.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carried three criminal antecedent 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 Additional Sessions Judge-IV, Patna City, in connection with S.Tr. No.1078 of 2022, arising out of Chouk P.S. Case No. 149 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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