

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67210 of 2023**

Arising Out of PS. Case No.-332 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Ravi Kumar Son Of Dudhnath Sah Residence Of Village-Mathia Ward No. 03
P.S.- Gopalganj, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Gopalganj P.S. Case No. 332 of 2023 dated 28.04.2023, lodged
under Section 395 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against six unknown accused persons against whom the
allegation is that they have looted a Bolero pick-up van used for
collection of milk for Muzaffarpur dairy. It has also been alleged
that the miscreants took them from the place of occurrence
through Thawe Road by crossing the Toll Tax and at ahead
Mirganj bypass, they alighted them within the river bridge and
took away their mobile.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. Counsel submits that the said pick-up van was recovered near the house of one Angad Rai but the said Angad Rai was not made seizure list witness. Counsel submits that the name of the petitioner has figured in this case by virtue of the confessional statement made by the co-accused and six containers of milk were recovered from behind the hotel situated at Lalit Bus Stand, Siwan.

5. Learned counsel for the petitioner further submits that the petitioner is in custody since 12.05.2023 and there are three criminal cases pending against him in which he is on bail.

6. Learned A.P.P. for the State opposes the prayer for bail and submits that the petitioner has made confession before the police and other accused have also accepted the involvement of the petitioner in commission of the said crime. Counsel further submits that there are three criminal cases pending against the petitioner but all those cases are of Excise Act.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Gopalganj P.S. Case No. 332 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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