

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69815 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- AGIAON District- Bhojpur

Ravi Kumar @ Ravi Yadav, Son of Satyendra Singh, R/o vill - Chhapra Tola,
Semraon, P.S. - Charpokhari, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Agiaon P.S. Case No. 5 of 2022 registered for the alleged offences under Sections 302/ 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, brother of the informant was shot dead and three persons fled away on a motorcycle from the spot. During investigation, the name of the petitioner surfaced along with other co-accused persons as one of the persons involved in the said occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case by co-accused



Pankaj Kumar and the said co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 19.05.2023 passed in Cr. Misc. No. 22028 of 2023. Other similarly placed co-accused person, namely, Rakesh Mahto @ Arju Virat has also been granted bail by a Co-ordinate Bench vide order dated 02.09.2022 passed in Cr. Misc. No. 28390 of 2022. Except the confessional statement of co-accused, no material has come out against this petitioner. The petitioner is in custody since 03.04.2023 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that petitioner is having criminal antecedent of two cases of serious nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner to connect him with the offences as alleged and further considering the grant of bail to similarly situated co-accused persons, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Bhojpur at Ara/concerned court in connection with Agiaon P.S. Case No. 05 of 2022, subject to the



conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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