

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66888 of 2022**

Arising Out of PS. Case No.-190 Year-2010 Thana- NAVINAGAR District- Aurangabad

SANTOSH RAVIDAS @ PAPPUJI @ AGAMJI @ SANJAY RAVIDAS
SON OF LATE RAM SWARUP RAVIDAS R/O VILLAGE-
SONARCHACK, P.S.- SALAIYA, DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-04-2023 Heard the parties.

The petitioner is in custody in connection with Nabinagar P.S. Case No. 190 of 2010 under Sections 147, 148, 149, 447, 323, 307, 435 and 427 of the Indian Penal Code and Section 17 of the C.L.A. Act lodged on 25.11.2010 by the informant, Brinda Singh

The Prosecution case, in brief, is that a group of 60-70 extremists came and started assaulting the informant with regard to seven Hywa trucks, one Miller, generator sets etc., were set on fire. Accordingly, the FIR.

It has been contended by the learned counsel for the



petitioner that in course of investigation number of witnesses have been examined but none has supported the case. Further, his name has come in the confessional statement of Vijay Yadav which was made before the police.

Learned counsel for the petitioner further refers to Annexure- 2 series to the bail application to show that some of the similar place accused persons namely, Dara Yadav (Cr. Misc. No. 16530 of 2022), Rajendra Yadav @ Bhaskar Ji @ Bihari Ji @ Prakash Ji @ Bahira (Cr. Misc. No. 66773 of 2018), Sanjay Yadav (Cr. Misc. No. 40995 of 2016), Kail Prajapati @ Akash Jee (Cr. Misc. No. 34159 of 2016) as also Mritunjay Mishra @ Mritunjay Jee @ Mirtunjay Mishra (Cr. Misc. No. 23452 of 2015) have been extended the privilege of bail. The last submission is that he has already suffered by being in custody since 10.07.2018 (as stated in para-9 of the petition).

Learned APP for the State opposes the prayer for bail but concedes that some of the co-accused have since been released on bail.

Considering the fact that he has already remained in jail since last 5 years, some of the other co-accuseds have been granted bail and ultimately he has to face the trial, this court is inclined to extend the him the privilege of bail.



Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Aurangabad in connection with Nabinagar P.S. Case No. 190 of 2010, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *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 bond 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 evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(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.

(vi) the petitioner shall cooperate in the investigation



and make himself available to the police as and when required.

(Rajiv Roy, J)

Alok Verma/-

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