

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67873 of 2022

Arising Out of PS. Case No.-136 Year-2014 Thana- SAKURABAD District- Jehanabad

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RAMCHANDRA MOCHI @ MUKHIYA RAVIDAS S/O RAM PRASAD
Resident of village- Karauti, P.S.- Sigori, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 28-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Shakurabad P.S. Case No. 136 of 2014 registered for the offence
under Sections 384, 385, 435, 341, 147 and 148 of the Indian
Penal Code and 17 C.L. Act.

The informant alleged that 6-7 maoist are alleged to
have caught him and put him on fire of roller and demanded
rangadari and also handed over parcha of anti social group.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the petitioner has not been named in the F.I.R., however, his name
transpired in this case on the basis of confessional statement of



the co-accused persons. Save and except the confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence and nothing has been recovered from the house or conscious possession of the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 02.12.2021.

Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was involved in the present crime in question and the accused persons have disclosed the name of the petitioner in the present case.

Considering the facts and circumstances of the case and also the fact the petitioner has not been named in the F.I.R. nor anything incriminating has been recovered from the possession of the petitioner and also the period of custody, let the, above named, petitioner 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 learned Judicial Magistrate-1st Class, Jehanabad in connection with Shakurabad P.S. Case No. 136 of 2014/ G.R. No. 3336 of 2014 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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