

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71843 of 2022

Arising Out of PS. Case No.-936 Year-2022 Thana- KANKARBAG District- Patna

RAVI KUMAR @ RAVI SHANKAR @ RAVI SHANKAR KUMAR Son of
Pankaj Singh @ Satyendra Narayan Singh Resident of Village- (Savitri
Sadan), Kali Mandir Road, (Hanuman Nagar), Police Station- Patrakarnagar,
District- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1382 of 2023

Arising Out of PS. Case No.-936 Year-2022 Thana- KANKARBAG District- Patna

GAUTAM KUMAR JHA @ GAUTAM KUMAR Son of Late Jay Shankar
Jha R/v- F-Sector Malahi Pakri, (F-123, P C Colony), P.S.- Kankarbagh,
District- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4903 of 2023

Arising Out of PS. Case No.-936 Year-2022 Thana- KANKARBAG District- Patna

DHARMENDRA KUMAR S/o Bal Kisun Mahto @ Balkishan Mahto R/o
Mohalla- Rampur Sampatchak, P.S.- Gaurichak, Distt- Patna at present-
Jaipur Dhanuki, P.S.- Agamkuan, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71843 of 2022)

For the Petitioner/s : Mr.Kamlesh Kumar, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

(In CRIMINAL MISCELLANEOUS No. 1382 of 2023)

For the Petitioner/s : Mr.Kamlesh Kumar, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 4903 of 2023)

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2023 Heard Mr. Shravan Kumar, learned senior counsel



appearing for the petitioners assisted by Mr.Krishna Kumar Singh and Mr. Kamlesh Kumar, learned counsels and the learned A.P.P. for the State.

The petitioners seek bail, who are in custody since 03.10.2022 in connection with Kankarbagh P.S.Case No.936 of 2022, F.I.R. dated 02.10.2022 registered for the offence punishable under Section 414,120B,115/34 of the Indian Penal Code and Sections 25(1-b)a, 26,35 of the Arms Act.

The case relates to recovery of one mobile phone from possession of petitioner-Ravi Kumar @ Ravi Shankar @ Ravi Shankar Kumar and petitioner-Gautam Kumar Jha @ Gautam Kumar and one pistol and nine live cartridges from joint possession of petitioner-Dharmendra Kumar.

Learned counsel appearing for the petitioners submits that petitioner-Ravi Kumar @ Ravi Shankar @ Ravi Shankar Kumar and petitioner-Gautam Kumar Jha @ Gautam Kumar have clean antecedent and petitioner-Dharmendra Kumar carries two more cases other than the present one. They have falsely been implicated in the present case. Further submits that the name of the petitioner, namely, Ravi Kumar @ Ravi Shankar @ Ravi Shankar Kumar has come during investigation on the basis of the disclosure made by the co-accused persons, namely,



Dharmendra Kumar and Ujjawal Kumar. Further submits that nothing has been recovered from conscious possession of the petitioners except one mobile phone and no other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence except the disclosure of the by co-accused persons and self-confessional statement of the petitioners and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 03.10.2022.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the aforesaid fact, let the petitioners, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna (petitioner-Ravi Kumar @ Ravi Shankar @ Ravi Shankar Kumar and petitioner-Gautam Kumar Jha @ Gautam Kum) and to the satisfaction of learned Chief Judicial Magistrate, Patna (petitioner-Dharmendra Kumar) in connection with Kankarbagh P.S.Case No.936 of 2022, with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

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