

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46441 of 2024**

Arising Out of PS. Case No.-109 Year-2024 Thana- BAKHTIYARPUR District- Patna

Ravi Kumar, Son Of Krishna Das, Village- Naya Tola, Madhopur, P.S.-  
Bakhtiyarpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Sharma, Advocate  
Ms. Shefali Sharma, Advocate  
For the Opposite Party/s : Mr. Jagdhar Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      10-07-2024                      Heard learned Advocate appearing on behalf of the  
petitioner and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody  
in connection with Bakhtiyarpur P.S. Case No. 109 of 2024  
vide G.R. No. 554 of 2024 registered for the offence punishable  
under Section 379 of the Indian Penal Code.

3. The allegation against the petitioner is of theft of  
battery. It is further alleged that the petitioner and others were  
identified through the CCTV footage leading to lodging of the  
FIR.

4. Learned Advocate appearing on behalf of the  
petitioner contended that initially an information has been given  
to the police station against the unknown thieves however,  
subsequent thereto the battery was recovered from the  
possession of co-accused Rakesh Kumar and later on the basis



of the CCTV footage the present FIR has been instituted. It is further contended that save and except the CCTV footage, there is no other material that the petitioner has actively participated in the crime. Moreover the crime in question is triable by the Magistrate and the petitioner is in custody since 03.03.2024. That apart the investigation of the crime is complete and the charge-sheet has already been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner has been identified in the CCTV footage and his complicity cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the offence under question is triable by the Magistrate and the petitioner is in custody for more than four months, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III in connection with Bakhtiyarpur P.S. Case No. 109 of 2024 vide G.R. No. 554 of 2024, subject to the condition that one of the bailors will be the close relatives of the



petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

supratim/-

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