

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.721 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Ravi Kumar S/o Umesh Prasad Singh R/o village- Fatehpur Wala, P.S.-
Fatehpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Samastipur (Muffasil) P.S. Case No.121 of 2023, lodged
on 28.01.2023, under Sections 399/402/411/413/414 of the
Indian Penal Code, under Sections 25(1-b)A/26/35 of the
Arms Act and Sections 8/20(a)(i) of the N.D.P.S. Act.

3. As per the prosecution, FIR has been lodged
against seven named accused persons including the petitioner.
It has come in the FIR that the accused persons were planning
to commit dacoity and upon secret information when police



raided then those persons were arrested. From the possession of the petitioner the Mobile and one country-made pistol has been recovered along with 100 gms of Ganja.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the alleged quantity of Ganja is much below the small quantity. He submits that the arms has been recovered from his possession but he is in custody since 29.01.2023 and about one year is going to lapse. Counsel for the petitioner submits that there are ten criminal antecedents of the petitioner.

5. Upon specific query that he is on bail in all cases. Counsel for the petitioner submits that he is not aware as the pairvikar has not informed him in this regard.

6. Learned counsel for the State opposes the prayer for bail and submits that the petitioner is accused in almost all the cases either of theft or dacoity or robbery. As such, at the time of granting bail this aspect may be taken into consideration.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after showing the trial Court**



that he has appeared in all ten cases and not absconding on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Samastipur, in connection with Samastipur Muffasil P.S. Case No.121 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bonds 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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