

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4245 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- RUPAULI District- Purnia

Ramvilash Kumar S/O Siyaram Sharma Resident of Navtoliya, P.S.-
Mohanpur, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Fazle Karim, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rupauli P.S. Case No. 135 of 2024 dated 11.09.2024 registered for the offences punishable under Section 25(1-B(a), 26 and 35 of Arms Act.

3. As per the prosecution case, the police received information that on the road from Dargaha to Laharoni near the culvert, three people on an Apache motorcycle had snatched a mobile phone from a person and had beaten him and shot him with the intention of killing. The informant reached at the place of occurrence where two people were held captive by some villagers who had some injuries on their person. The villagers informed that one person fled away, the person who fled away on the Apache is hiding nearby. Then the informant handed over two persons caught at the place of occurrence. Both persons



disclosed their names as Brahmachari Mandal and Ramvilash Kumar. It is further alleged that one loaded country-made pistol and a live cartridge loaded in the country-made pistol and a keypad mobile of Itel company were recovered from the possession of Brahmchari Mandal, whereas a mobile phone of Vivo Company and one live cartridge were recovered from the possession of Ramvilash Kumar. It is also alleged that a used cartridge was also recovered from the place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that nothing has been recovered from the conscious possession of the petitioner rather one live cartridge was planted by the police personnel, no country-made pistol has been recovered from the possession of the petitioner. It is also submitted that the petitioner has one criminal antecedent which was of the same transaction of offence and he is in custody since 11.09.2024. It is further submitted that the charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties,



let the petitioner be released on bail upon furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of C.J.M., Purnea in connection with Rupauli P.S. Case No. 135 of 2024, subject to the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and/or his wife.

(iii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iv) 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.

(Khatim Reza, J)

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