

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23738 of 2025**

Arising Out of PS. Case No.-99 Year-2024 Thana- BITHAN District- Samastipur

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Ravish Kumar S/o Chhotelal Yadav Resident of Vill.- Hathwan, P.S.- Allauli,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 30-04-2025 As prayed for, learned counsel for the petitioner is permitted to make necessary correction in para 9 and 10 of the bail petition, in course of the day.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. Petitioner seeks bail in connection with Bithan P.S. Case No. 99 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 115, 118(1), 109, 352, 351(2), 351(3) of the B.N.S. and section 27 of the Arms Act.

3. As per prosecution case, six unknown persons came on two bikes and are said to have attacked the informant and started firing upon him. It is alleged that informant



sustained one fire arm injury on his mouth and three fire arm injuries on his leg and the F.I.R. is lodged against unknown.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence as alleged in the first information report. From perusal of the F.I.R., it appears that the occurrence took place on 23.10.2024 at 7.30 pm but F.I.R. was lodged on 27.10.2024 at 20.30 pm after lapse of 4 days without any plausible explanation, which questions the authenticity of the F.I.R. Petitioner's name has surfaced in this case on the confessional statement of co-accused Ranjana Devi. Learned counsel submits that except the confessional statement of the co-accused, there is nothing on the record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted up-till-now. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner submits that co-accused Ranjana Devi has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 21181 of 2025 and the case of the present petitioner stand on better footing as the name of present petitioner has surfaced on the confessional



statement of the said Ranjana Devi. Petitioner bears no criminal antecedent and is in custody since 30.10.2024.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view of the clean antecedent of the petitioner, the period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and the fact that co-accused has been granted bail by this Court, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twentyfive Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Rosera, Samastipur in connection with Bithan P.S. Case No. 99 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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