

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25389 of 2025

Arising Out of PS. Case No.-85 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

Ravi Pesent @ Ravi Gupta @ Netaji @ Master @ Doctor S/O Late Mahesh Prasad @ Mahesh Prasad Gupta Resident of Sadikpur Machhua Toli, Nepali Ke Makan Me Kirayedar, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 29-07-2025 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Ramkrishna Nagar P.S. Case No. 85 of 2018 registered for the offences under Sections 399 and 402 of the IPC & Section 25(1-b)a, 26 and 35 of the Arms Act.

3. The petitioner is named in the F.I.R. and is in custody since 17.10.2019.

4. The allegation against the petitioner is to involve in preparation for dacoity along with other named and unknown co-accused persons.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner transpired in the present



case out of confessional statement of Bunty Kumar and Gorakh Yadav, where in furtherance of which no incriminating material recovered/surfaced against petitioner, so as to connect petitioner prima-facie with the present preparation of dacoity. It is submitted that one of the reason behind implication of petitioner with present crime in question is petitioner's criminal antecedents, as he found involved in six more cases, where in most of the cases his name transpired out of confessional statement as of the present case having otherwise no evidentiary value. While concluding the argument it is submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. A report was called for by this Court regarding stage of trial in terms of order dated 14.05.2025, where a report was made available to this Court through Letter No. 41 dated 05.06.2025 from the Court of learned District and Additional Sessions Judge-XXV, Patna, suggesting that in present case only charge was framed and not even single witness could examined till now suggesting prima-facie that conclusion of trial is a remote aspect



8. In view of aforesaid facts and circumstances as mentioned above and by taking note of fact as save and except suspicion arising out of confessional statement of apprehended co-accused persons nothing incriminating appears against petitioner so as to connect him with the present crime in question, coupled with the fact as petitioner remains in custody since 17.10.2019 i.e., almost four years, where not even a single witness appears examined, accordingly above named petitioner, is directed to be released on bail in connection with Ramkrishna Nagar P.S. Case No. 85 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XXV, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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