

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17317 of 2015**

Arising Out of PS.Case No. -23 Year- 2014 Thana -AURANGABAD TOWN District-  
AURANGABAD

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Ritesh Kumar @ Kumar Ritesh S/o Tej Bahadur Singh, resident of  
Mohalla- Gorechhani, Station Road, Sasaram, District- Rohtas (Bihar)

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mrs. Asha Devi(App)

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

3 25-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 420, 467, 468, 471/34 of the Indian Penal Code and the fact that the petitioner is a purchaser of land from one Ashok Kumar Singh, the rest of the allegation that he was party to the forgery in the sale deed will hardly inspire confidence specially when the petitioner is said to have parted with the consideration amount.

Be that as it may, the petitioner has got no criminal antecedent and, therefore, if the petitioner, namely, Ritesh Kumar @ Kumar Ritesh surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 23 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to following conditions:-

- (i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.
- (ii) That both the bailors will be a close relative of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (iii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is, he shall not be released on bail.
- (iv) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated 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.

(v) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

**(Mihir Kumar Jha, J)**

Rishi/-

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