

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40526 of 2019**

Arising Out of PS. Case No.-619 Year-2018 Thana- MASAUDHI District-
Patna

=====

RITESH KUMAR @ VINIT KUMAR Son of Late Santosh Kumar Resident of
Village - Dahibhatta, P.S.- Masaurhi, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate. Mr. Niraj Kumar Ms. Preety Kunwar, Advocates.
For the Opposite Party:		Ms. Sangeeta Sharma, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 02-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 325, 307, 337, 338, 332, 353, 153(A), 427 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of Damage to Public Property Act registered in connection with Masaurhi P.S. Case No. 619 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the F.I.R. has been instituted against as many as 81 named and 250-300 unknown persons. The petitioner is alleged to have led the mob but however no overt act has been attributed to the petitioner to indicate use of criminal force or obstruction in the discharge of official duty. Several co-accused persons have been granted anticipatory bail by this Court. The petitioner is accused in one more case namely Masaurhi P.S. Case No. 617 of 2018 in the series of F.I.Rs lodged in connection with



the same incident relating to disturbance of communal harmony between two groups.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate , Masaurhi, Patna in connection with Masaurhi P.S. Case No. 619 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Ibrar//-

U		T	
---	--	---	--

