

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31240 of 2021**

Arising Out of PS. Case No.-507 Year-2016 Thana- KHAGARIA District- Khagaria

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RITESH KUMAR @ RITESH MAHTO Son of Narayan Mahto Resident of
Village - Bela Simri, P.S.- Gangaur, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 08-02-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Khagaria (Gangaur) P.S. Case No. 507 of 2016 registered for

the offence under Sections 302 and 201 of the Indian Penal

Code.

The sister of the informant is said to have been

killed by some unknown persons and her dead body had

been thrown at the Bamboo Orchard.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that it is apparent from the F.I.R. itself that neither the informant nor husband of the deceased has made any allegation against the petitioner. He further submits that during course of investigation, no cogent material has come against the petitioner suggesting his involvement in the alleged occurrence but merely on the basis of suspicion, this petitioner has been made accused in this case. Moreover, the police after investigation has submitted charge sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 15.02.2021.

Learned A.P.P. for the State on the basis of material available on record as well as the case diary has opposed the prayer for bail of the petitioner and submits that there is only circumstantial evidence against the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 507 of 2016 with the



following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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