

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28348 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- KARAHGAR District- Rohtas

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RITESH KUMAR S/o Faujdar Sah Resident of Village- Babhani, P.S.-
Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kuber Pathak, Sanjay Kumar
For the Opposite Party/s	:	Mr. Rajesh Kumar
For the Informant/s	:	Mr. Upadhyay Saurab Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 201 read with 34 of the Indian Penal Code.

As per the prosecution case, the informant's son was at his house in the meantime co-accused Niraj Kumar came and took away his son to village Babhani, where the informant's son, the co-accused Niraj Kumar and the petitioner Ritesh Kumar took food in the hut of one Paramhans Yadav. When the son of



the informant did not return in the night then in the morning the informant and the villagers started searching his son. When they reached Babhani and inquired about his son then they saw that his son was drowned in the canal and had sustained injuries. It is further alleged that the informant has full confidence that the petitioner and the co-accused murdered his son and threw the dead body in the canal to conceal the evidence.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that there is specific allegation against the co-accused person for taking the deceased from his house. It is further stated that the real reason behind the occurrence is that the co-accused had taken Rs. 40,000/- from the deceased. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.01.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty



Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sasaram, Rohtas in connection with karahgar P.S. Case No. 20 of 2022, with a condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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