

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43256 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- KINJAR District- Jehanabad

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RITIK KUMAR S/o Fagu Yadav R/o village- Haibaspur, P.S.- Ranitalab
(Kanpa), District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate.

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 379, 414,
468 and 34 of the Indian Penal Code.

According to the prosecution, the informant being
S.I. of Police, along with the armed forces proceeded from
Kinjar P.S. on 30.01.2022 at about 00.30 hours in patrolling
duty and to curb the crime. In that course, he reached village
Shantipuram (Ataula Bajar) where three persons were sitting on
a motorcycle. On seeing the police, the driver of the motorcycle



tried to flee away who was apprehended with the help of armed forces and disclosed their identity as co-accused Rahul Kumar, Sohit Kumar and Ashish Kumar and they did not produce any document. On interrogation co-accused Rahul has disclosed that the said motorcycle was purchased through the petitioner Ritik Kumar from a person but he did not know the name of the said person.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the name of the this petitioner has been transpired in this case on the basis of disclosure made by the co-accused namely Rahul Kumar who is said to have been driving the motorcycle in question when the police has intercepted him. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner and he has no concern at all with the alleged recovery and the co-accused also. He further submits that save & except the confessional statement of the co-accused, no cogent material has come during investigation against the petitioner.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.



Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond or Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Kinjar P.S. Case No. 06 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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