

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8290 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- SIMRI District- Darbhanga

Ritesh Kumar @ Ricky Son Of Ashok Kumar R/V- Kaitola, P.S- Madhubani
Town, Dist- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 397, 395, 412, 120(B) of the Indian Penal Code.

The prosecution case in nutshell is that informant, being the driver of Eicher 2110 postal parcel vehicle, bearing registration number HR-55AL-4660, was about to reach Sohan Turu, then one Indica car suddenly overtook him and stopped right on front of the informant's van and three unknown miscreants tied the informant and fled away with



the informant's vehicle.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R nor he has been put on T.I.P. Nothing incriminating has been recovered from his conscious possession rather the looted article has been recovered from the house of co-accused Roushan Kumar Jha. The name of petitioner sprang up in this case on the basis of his self confessional statement. Moreover, the petitioner is languishing in judicial custody since 16.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, namely, Anand Kumar Jha @ Anand Jha has been granted bail vide order dated 27.02.2023, passed in Cr. Misc. No. 67740 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and



taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Simri P.S. Case No. 127 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Darbhanga.

(Sunil Kumar Panwar, J)

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