

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8557 of 2023

Arising Out of PS. Case No.-727 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Ritesh Kumar Son of Prakash Kumar Yadav, Resident of Muhalla - Naya Tola
Ward No.- 35, P.S.- Town Katihar, District – Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Dubey, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-05-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Katihar Town P.S. Case No. 727 of 2022, dated 09.11.2022 lodged
under Sections 307, 354(B), 379, 509/34 of the Indian Penal Code
read with Section 27 of Arms Act.

As per prosecution case, there is nothing alleged against
the present petitioner in the F.I.R.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is not the accused rather he is victim of the
present case. He also submits that in the F.I.R. there is nothing
alleged against the present petitioner but he further submits that in
contradiction of the F.I.R. the victim has made allegation against



the present petitioner directly under Section 164 of Cr.P.C. Learned counsel submits that name of petitioner has come only and only due to the reason that the petitioner is close friend of the main accused of this case. He further submits that antecedent of petitioner is clean and he is in custody since 12.11.2022.

Learned counsel for the State opposes the prayer for bail and submits that it is true that that name of petitioner is not figured in the F.I.R., as such, no offence under Section 307 of I.P.C. is made out against him.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 727 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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