

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45826 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Ritik Jaiswal Son Of Manoj Kumar Jaiswal Village Hasanpur Surat, P.S.-
Patori, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.

Mr. Kumar Praveen, Adv.

For the Informant Mr. Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-09-2023 Heard the parties.

2. Learned counsel for the petitioner is permitted to make correction in para-3 of the bail application in course of the day.

3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 188, 353, 504, 506, 307/34 of the Indian Penal Code.

4. Petitioner along with other accused persons are said to have obstructed in discharging the public duty and they started creating disturbance in the proceeding of D.P. and he along with other co-accused persons made an attempt upon the police party and team of D.P. with brick-stone, glass petrol bottles and lead articles.

5. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is land dispute between the parties. The father of the petitioner has filed Complaint Case No. 510 of 2023 in the court below against the informant. He further submits that two cases have been filed against the petitioner for the same occurrence, one by the concerned Nazir and other by the victim. He submits that the similarly situated co-accused has already been granted bail by this Court vide order dated 24.08.2023 passed in Cr. Misc. No. 48334 of 2023. He further submits that petitioner has three criminal antecedents as mentioned in para-3 of this application.

6. Learned APP for the State as well as learned counsel for the victim opposed the prayer for bail and submitted that the petitioner is the main assailants in the present case, hence, he does not deserve anticipatory bail.

7. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Patori P.S. Case No. 158 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. However, if petitioner creates hindrance in proceeding of D.P. again, the informant would be at liberty to file an application before the learned Court below to cancel the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

