

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59060 of 2023

Arising Out of PS. Case No.-285 ,Year-2022, Thana- Sonepur, District- Saran

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Ritesh Kumar @ Ponga, Son Of Yadunath Ray, Village- Rahar Diyara, Ps-
Sonepur, Dist- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-10-2023 Heard Mr. Ravi Prakash, learned counsel appearing

on behalf of the petitioner and Mr. Abhay Kumar Roy, learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Sonepur P.S. Case No. 285 of 2022, registered for the
offences punishable under Sections 341, 323, 354, 379, 307, 504
and 506/ 34 of the Indian Penal Code.

3. It is stated that the petitioner allegedly assaulted the
informant by means of Daab on his both hands and Kulha, due
to which he sustained injuries. Further, allegation of assault and
snatching of valuables has been levelled against other accused
persons.

4. Learned counsel appearing on behalf of the
petitioner submits that both the parties are agnates and there is a



case and counter case being Sonepur P.S. case no. 315/2022 registered by the petitioner, on the alleged date of occurrence itself, on 23.04.2022, when his fardbeyan was recorded in course of treatment in the emergency ward at Sadar hospital, Hajipur. He next submits that on account of some dispute a free fight has taken place between the persons of both the sides resulting in injuries to persons of both the sides, however, from the injury reports as contained in Annexure-2, it appears that the same is simple in nature. That apart, the injuries which is allegedly attributed to the petitioner has sustained on non-vital body part. He next submitted that all the F.I.R. named accused persons are persons of one family and, the allegation of assault over vital part has been levelled against co-accused persons.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner is carrying two criminal antecedent relating to Bihar Prohibition and Escise Act and he appears to be a habitual offender.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner has also sustained injuries for which he was under treatment in the emergency ward of Sadar hospital, Hajipur, coupled with the



nature of the injuries sustained to the informant let the petitioner be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate in connection with Sonapur P.S. Case No. 285 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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