

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57574 of 2022

Arising Out of PS. Case No.-412 Year-2020 Thana- SAHPUR District- Patna

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1. Jitenadra Rai @ Jitendra Kumar, Son of Panji Rai Resident of Village-Shekhuchak, Post- Mathiyapur, P.S.- Shahpur, District- Patna
 2. Ritik Kumar, Son of Late Deepak Rai Resident of Mohalla- Kumhrar, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Dubey, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-01-2023 Learned counsel for the petitioners submit that petitioner no.2, Ritik Kumar has been arrested and as such the petition against him now become infructuous.

Heard learned counsel for the petitioner no.1 and learned APP for the State.

The petitioner no.1 apprehends his arrest in connection with Shahpur P.S. Case No.412 of 2020 instituted under Sections 341,323,324,307,379,504,354,427,506/34 of the Indian Penal Code.

As per the prosecution story, omnibus allegation has been made against the accused persons including the petitioner herein of assaulting the petitioner's side.

Learned counsel for the petitioner no.1 has brought



attention of this Court to Annexure-3 to show that the injuries have been found to be simple in nature.

Taking into account the fact that he do not have criminal antecedent, the allegation is omnibus in nature and injuries have been found to be simple, this Court is inclined to grant him privilege of bail.

Let the petitioner no.1, Jitendra Rai @ Jitendra Kumar be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each in connection with Shahpur P.S. Case No.412 of 2020 to the satisfaction of learned A.C.J.M., Ist Class, Danapur, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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