

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.2403 of 2023**

Arising Out of PS. Case No.-285 Year-2022 Thana- PATNA CITY CHOWK District- Patna

RIKKU KUMAR @ RIKKU @ RITESH KUMAR SINGH Son of Satendra Prasad Singh @ Chottu Jee @ Satendra Singh Resident of Mohalla - Bhitri Begampur, Daripar, P.S.- Chowk, District – Patna ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Santosh Kumar Singh,Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Singh,APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      17-05-2023                      Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

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

The allegation is regarding some altercation having taken place amongst the son of the informant and the accused persons on account of a mobile phone, which was found by the son of the informant lying at the railway station, but he had handed over the same to its real owner instead of handing over the same to the accused persons, whereafter the accused persons are stated to have attacked and assaulted the informant and his family members, when they



were returning back to their house from a party. As far as the petitioner is concerned, he is stated to have pulled the hair of the informant and misbehaved with her.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner has not been alleged to have assaulted either the informant or her family members, either with iron rod or sticks and moreover, there is no injury report on record of the case, as is also recorded in the impugned order dated 08.09.2022. It is further submitted that the present case arises out of case and counter case, the case filed by the father of the petitioner being first in time.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioner, he is having a clean antecedent and the present case arises out of case and counter case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City in connection with Chowk P.S. Case No.285 of 2022, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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