

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1674 of 2023

Arising Out of PS. Case No.-160 Year-2022 Thana- PATEPUR District- Vaishali

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1. Ritik Kumar S/O Umesh Rai @ Umesh Prasad Rai Resident Of Ward No-16, Bahuara, P.S.- Patepur, District- Vaishali, Bihar- 813114
 2. Ashok Baitha S/O Mangal Baitha Resident Of Ward No- 12, Bahuara, P.S.- Patepur, District- Vaishali, Bihar- 813114

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pratik Mishra, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case registered
for the offence punishable under Sections 341/332/188/353/201
and other allied sections of the Indian Penal Code.

Prosecution's case, in short, is that petitioners and
other 40 to 50 other accused persons arrived with arms and tried
to get released the persons who were in police custody and also
damaged police vehicle.

Learned counsel appearing for the petitioners submits
that the petitioners are innocent and have falsely been



implicated in this case. There is general and omnibus allegation against the petitioners and no specific overt act has been alleged against them. It is further submitted that there is delay of two days in lodging of the FIR and there is no plausible explanation of delay which itself creates doubt over the prosecution case. Petitioners have got no criminal antecedent.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Vaishali at Hajipur in Patepur Police Station Case No. 160 of 2022, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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