

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8543 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- MAHESHKHUNT District- Khagaria

1. Ritik Raushan @ Kare S/O- Murari Paswan R/O- Village- Thatha, P.S.- Mansi, Dist.- Khagaria.
2. Rupesh Kumar @ Rupesh Yadav S/O- Sunil Yadav R/O- Village- Hiratol, P.S.- Sahebpur Kamal, Dist.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR , PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 19-04-2024 The present application with respect to petitioner No.2, namely, Rupesh Kumar @ Rupesh Kumar Yadav has already been dismissed vide order dated 07.03.2024.

2. Heard learned Counsel for the petitioner no.1, namely, Ritik Raushan @ Kare and learned APP for the State.

3. The petitioner no.1 is apprehending arrest in connection with Maheshkhunt P.S. Case No. 112/2023 registered on 03.06.2023 for the offenses punishable under Sections 302, 397, 427, 34 of the Indian Penal Code and Section



27 of the Arms Act.

4. As per the prosecution, the FIR has been lodged against the unknown accused persons who have killed the informant's brother on a National Highway during the commission of highway robbery and loot.

5. It is submitted by learned counsel for the petitioner that the petitioner no.1 is innocent and has committed no offence. The FIR has been lodged against the unknown but only on the basis of the confessional statement of the co-accused, the petitioner has been made accused in the present case. The antecedent of petitioner no.1 is clean.

6. Learned APP for the State vehemently opposes the prayer for bail and submits that during the investigation fresh material has come against petitioner no.1. Petitioner no.1 is alleged to be the kingpin whereas petitioner no.2 is associate of petitioner no.1 in the commission of crime. However, on the earlier occasion, the case diary had been called for.

7. Upon perusal of paragraph 54 of the case diary as well as 57, 60, 61, 95, and 130 of the case diary, it appears to this Court that there is directed involvement of petitioner no.1 in the commission of the crime. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of



the petitioner in connection with Mahesh Khunt P.S. Case No.
112/2023, pending before the learned ACJM 4th, Khagaria is
hereby rejected.

(Dr. Anshuman, J)

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