

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20955 of 2024

Arising Out of PS. Case No.-55 Year-2023 Thana- KURTHA District- Jehanabad

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RITESH KUMAR S/O- KRISHNA YADAV @ KRISHNA PRASAD R/O-
VILLAGE- SANGATPAR BABHANA, P.S.- NAGAR JEHANABAD,
DIST.- JEHANABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Kurtha P.S Case No. 55 of 2023 registered for the offences

punishable under Sections 395 of the I.P.C read with

Section 27 of Arms Act.

3. As per prosecution case, six unknown persons

with an allegation of committing loot of Rs. 5,50,000/- from

the shop of the informant.

4. Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case. It is

further submitted that petitioner is not named in FIR,



petitioner's name transpired in this case during the course of investigation on the basis of confessional statement of co-accused. No recovery from the possession of the petitioner. It is next submitted that in similar situated condition one of the co-accused persons have already been granted bail by this Court *vide* order dated 29.11.2023 passed in Cr. Misc. No. 29.11.2023 and vide order dated 05.03.2024 passed in Cr. Misc. No. 14309 of 2024. It is also submitted that petitioner is in judicial custody since 05.07.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Jehanabad in connection with Kurtha P.S Case No. 55 of 2023, subject to following conditions:

(i) one of the bailor should be the family member



of the petitioner who shall provide official document to show his 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 bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(v) 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.

(Ramesh Chand Malviya, J)

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