

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24842 of 2024

Arising Out of PS. Case No.-82 Year-2022 Thana- MOTIPUR District- Muzaffarpur

RITIK KUMAR @ RITIK RAJ SON OF RAM NIRANJAN SINGH
RESIDENT OF VILLAGE - SAIN, RAJPUT TOLA, P.S. - KANTI,
DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with NDPS Case No. 75 of 2022 arising out of Motipur P.S. Case No. 82 of 2022 for the offence registered under sections 25(1-b)a, 26 and 35 of the Arms Act and sections 8, 20 and 22 of the N.D.P.S. Act lodged on 02.03.2022 by the informant, Mukesh Kumar.

3. As per the prosecution story, the informant, A.S.I. of Motipur Police Station alleged that upon information that notorious criminal, Rahul is present near Research Centre alongwith the associates, raided the place and caught them. The recovery from Rahul includes 1kg ‘charas’ as also loaded



country made pistol. From his associate, Gunjesh Kumar Pandey, there is further recovery of loaded pistol. The name of the petitioner has come in the confessional statement of those arrested.

4. Learned Counsel for the petitioner submits that he has no role to play in the matter, is a student, do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that his name has come in the confessional statement.

6. Considering the aforesaid submissions put forward by the learned Counsel for the petitioner as also he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge cum Special Judge, Muzaffarpur in connection with NDPS Case No. 75 of 2022 arising out of Motipur P.S. Case No. 82 of 2022 subject to condition as laid down under



Section 438(2) of the Cr.P.C.

(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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next 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 evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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.

(Rajiv Roy, J)

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