

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25007 of 2024

Arising Out of PS. Case No.-341 Year-2023 Thana- NAUBATPUR District- Patna

Jitesh Ram S/o Late Wakil Ram R/O VILLAGE – PALTU CHHITNI
DHOBIAKALANPUR, P.S -NAUBATPUR DISTRICT -PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishikant

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 341/2023, Sessions Trial No. 995 of 2023 registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code, 1860 and Sections 25(1-b) a, 26, 35 of the Arms Act.

3. As per prosecution case, on secret information, informant raided the house of the co-accused Niranjana Ram from where one country made pistol and after unloading the same one live cartridge was recovered from the possession of the co-accused Guddu Yadav. Petitioner and others were apprehended on the spot.

4. Learned counsel for the petitioner submits that



petitioner is quite innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case on account of village rivalry. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 21.05.2023 and bears no criminal antecedent. He submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. On similar and identical allegation, co-accused Niranjana Ram and Kunal Ram have already been granted bail by this Court vide Cr. Misc. No.3304/2024 and on the principle of parity, the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, co-accused have already been granted bail, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II at Danapur, Patna in connection with



Naubatpur P.S. Case No. 341/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial Court itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

Vashudha/

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