

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47667 of 2024

Arising Out of PS. Case No.-597 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Ritesh Kumar Sah Son of Arjun Sah R/o Ward No.- 43, Bishnupur, Dhob
Ghatta, Police Station -Town, Dist- Begusarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjaneya Singh, Advocate
For the State : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 26-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Begusarai Town P.S. Case No. 597 of 2023
dated 14.09.2023, registered for the offences punishable under
Sections 341, 323, 427, 307 read with Section 34 of the Indian
Penal Code.

3. As per allegation, the petitioner along with other
accused are alleged to have assaulted the informant with lathi
and bricks causing injury on his head.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that as per the injury report, the injury
caused is simple in nature. As per the facts and circumstances of



the case, Section 307 of the Indian Penal code is not applicable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly the nature of injury, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M., Begusarai, in connection with Begusarai Town P.S. Case No. 597 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing



him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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