

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43988 of 2024

Arising Out of PS. Case No.-175 Year-2023 Thana- BAHADURPUR District- Darbhanga

Ritik Kumar @ Ritik Sharma Son of Ajit Vishwakarma Resident of Village -
Bela Yakub, Post Office - Kabirchak, Police Station - Bahadurpur, District -
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-06-2024 Heard Mr. Sunil Kumar, learned counsel for the
petitioner and Mr. Ram Sevak Choudhary, learned A.P.P.
appearing on behalf of the State.

2. The petitioner seeks bail, who is in custody since
01.05.2023, in connection with Session Trial No. 432 of 2023
arising out of Bahadurpur P.S. Case No. 175 of 2023, FIR dated
13.04.2023 registered for the offence under Section 307/34 of
the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, petitioner is said to
have fired upon the brother of the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that the allegation as
alleged is false and fabricated and the petitioner has not
committed any offence as alleged in the FIR. He further submits



that from a bare perusal of the FIR it appears that there is specific allegation against the petitioner that he has fired upon the brother of the informant but the shot was not hit to the brother of the informant thereafter other co-accused persons have also fired upon the brother of the informant as also the family members of the informant. He further submits that co-accused person, namely, Ajay Sahni @ Ajay Kumar Sahni has been granted bail by this Court vide order dated 21.09.2023 passed in Cr. Misc. No. 61206 of 2023 and another co-accused person, namely, Shahid Khan @ Shahid Afridi has also been granted bail by a co-ordinate Bench of this Court vide order dated 18.10.2023 passed in Cr. Misc. No. 68225 of 2023. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 01.05.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two cases other than the present one.

6. Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Darbhanga in connection with Sessions Trial No. 432 of 2023 arising out of Bahadurpur P.S. Case No. 175 of 2023 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

ajay/-

U		T	
---	--	---	--

