

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53147 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- BHAGWANPUR District- Vaishali

Rituraj Singh, son of Bipin Singh @ Bipin Kumar Singh, village - Wafapur
Banthu, Ps- Bhagwanpur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-08-2024 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The application for grant of bail to the petitioner
who is in custody in connection with Bhagwanpur P.S. Case No.
144 of 2024 registered for the offence punishable under Sections
307 and 120(B) of the Indian Penal Code.

3. Based upon the written report the prosecution
alleges that while the informant was returning to his home from
market, in the meantime two of the motorcycle riders came
there and one of them fired upon him, due to which he sustained
fire arm injury on his leg. It is further alleged that the informant
suspected the hands of the petitioner and co-accused Raushan
Kumar, who were making hindrances in running of the



petitioner's hostel and co-accused Raushan Kumar have also threatened with dire consequences on his mobile.

4. Learned Advocate appearing on behalf of the petitioner referring to the FIR contended that the entire case is based on suspicion and save and except suspicion, there is no material suggesting the complicity of the petitioner in crime. So far the allegation of threatening is concerned, the same has been leveled against co-accused Raushan Kumar. It is next contended that there is a rivalry on account of running of hostel, in as much as, the petitioner's father was also getting a hostel constructed at his house and the same was to be inaugurated in a few days. On being infuriated about the construction of another hostel in the near locality, the name of the petitioner has been implicated in this case. The persons who had allegedly fired upon the informant, they have not been apprehended till date nor during the course of investigation any cogent material has come against the petitioner. It is lastly contended that the petitioner is a man of fair antecedent and has been incarcerated in custody since 03.06.2024.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has been implicated in this case only on account of suspicion, moreover the petitioner is a man of fair antecedent and there is no direct allegation, let the petitioner, named above, 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 learned Additional District & Sessions Judge-XI, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 144 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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