

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64305 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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Ritesh Mahto @ Ritesh Kumar Son of Bindeshwar Mahto @ Bindeshwer
Mahto Resident of village - Bela Bihar, Lane No.- 2, P.S.- Bela, District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bela Industrial P.S. Case No. 101 of 2023 registered for the
offences punishable under Sections 341, 342, 323, 324, 307,
504, 506/34 of the Indian Penal Code.

3. Prosecution case in short is that petitioner along
with other co-accused persons have assaulted the informant with
lathi and rods.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



It is submitted by learned counsel for the petitioner that there is no specific allegation levelled against the petitioner. Rather, allegation is general and omnibus in nature. Learned counsel further submits that there is delay of nine days in lodging of the FIR without plausible explanation, which itself raised doubt over the prosecution case. It is further submitted by learned counsel that from perusal of the FIR, it is very clear that informant himself fell down in the drainage and got injured. Petitioner claims clean antecedent. Other co-accused has been allowed regular bail by this Court *vide* order dated 18-03-2024, passed in Cr. Misc. No. 19435 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 court below where the case is pending/successor court in connection with Bela Industrial P.S. Case No. 101 of 2023, subject to the conditions



as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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