

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65704 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- GOPALGANJ TOWN District- Gopalganj

Ritesh Kumar @ Ritesh Giri Son of Vijayedndra Giri Village- Surahia, P.S.-
Barharia, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-10-2024 Heard Mr. Raghav Prasad, learned counsel for the

petitioner and Mr. Suresh Prasad Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Gopalganj Nagar P.S. Case No. 45 of 2024,
F.I.R. dated 15.01.2024 registered for the offences punishable
under Section 392 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner is not named in the F.I.R. He further submits that the



name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused persons namely Santosh Kumar and Sarfaraz Ali which was recorded in paragraph nos. 22 and 36 of the case diary and except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedents and the name of the petitioner has been transpired on the basis of confessional statement of co-accused persons, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Gopalganj Nagar P.S. Case No. 45 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-



(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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)

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