

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70561 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Ritik Raj @ Bambam S/O Rajeev Ranjan Raj @ Laddu R/O Mohalla- MTN
Ghosh Road, P.S- Nathnagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

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

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

ORAL ORDER

3 19-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nathnagar P.S. Case No. 193 of 2024 registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons hatched a conspiracy to kill
the son of the informant. They have called him with regard to
the debt of Rs. 40,000/- and took him on his motorcycle from
his house. In the meantime, four unknown persons shot dead the
son of the informant.

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. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, namely, Sushil Kumar @ Bhinna Mandal, and the same has no evidentiary value in the eye of law. It is submitted that there is no eye witness to the occurrence and the FIR is based on conjectures and surmises. Petitioner was not present at the time of occurrence.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. First of all, it is submitted that regular bail of the father of the petitioner has been rejected *vide* order dated 21-11-2024, passed in Cr. Misc. No. 72301 of 2024. Referring to paragraph No. 13 of the case diary, it is submitted that petitioner was identified in the CCTV footage. Further, co-accused, namely, Sushil, in his confessional statement has suggested the complicity of the petitioner in the alleged occurrence, which fact finds mention at paragraph No. 50 of the case diary. Hence, petitioner does not deserve the privilege of anticipatory bail.

6. Considering the rival submissions made by the learned counsel for the parties and nature and gravity of the



offence, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail is *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same shall be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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