

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4364 of 2024

Arising Out of PS. Case No.-185 Year-2023 Thana- SAUR BAZAR District- Saharsa

Ritesh Yadav @ Rites Kumar S/o Late Ravindra Yadav R/o vill-Bhagwanpur,
P.S- Sour Bazar, Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 307, 34, 379 of the Indian Penal Code and subsequently added Section 414 of IPC while charges have been formed under Sections 394, 411, 413 and 414 of the IPC and Section 27 of Arms Act.

3. As per FIR, when the informant along with his sister's son was going to board train in the meantime, on the way, three persons came and pushed him and on protest one of them fired upon him due to which he sustained injury when the son of the petitioner's sister came to save him then



all the accused persons assaulted him with the butt of the pistol upon his head. It is further alleged that they took away two mobiles from them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of co-accused Sagar Kumar before the police which has got no evidentiary value in the eye of law. The recovery of mobile has been made from the possession of co-accused Sagar Kumar not from this petitioner. Petitioner has not been put on TI parade. Moreover, he is languishing in judicial custody since 06.06.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sour Bazar P.S. Case No. 185 of 2023 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 II, Saharsa.

(Sunil Kumar Panwar, J)

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