

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10956 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- BIHIA District- Bhojpur

Ritesh Kumar @ Ritesh Kumar Rai SON OF SHESH NATH RAI Resident of
village Bara Ps Bihiya District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Mrityunjay Narain

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-02-2024 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 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

3. As per prosecution case, allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested them. On search, one country made pistol along with two live cartridges were recovered from the possession this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner has no concern with the alleged recover of arms which were seized by the police. He has falsely been implicated in this case. It is further submitted that the petitioner is languishing in judicial custody since 5.6.2023. Moreover, similarly situated co-accused namely, Kanhaiya Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dt. 17.10.2023 passed in Cr. Misc. No. 66808 of 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 period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihiya P.S. Case No. 135 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 ACJM-V, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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