

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6317 of 2025

Arising Out of PS. Case No.-511 Year-2024 Thana- ALAMGANJ District- Patna

Ritesh Sagar @ Mantosh Kumar Mahto Son of Lala Mahto village- Sadikpur,
Ps- alamganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-02-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 120B and 34 of the Indian Penal Code read with Section 27 of Arms Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that on 23.06.2024, her husband was watering flowers at the door, when two accused came on a motorcycle and fired indiscriminately killing her husband, it is next alleged that her husband used to carry work of buying and selling properties with Shishir Kumar and other named accused persons including the petitioner and on account of old dispute relating to land, her husband has been killed, next alleges that on 8-3-2023, on the day of Holi, Shishir and others assaulted her husband and got him arrested.



4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that Shishir Kumar had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 60773 of 2024 and the same was allowed by an order dated 01.10.2024. It is further submitted that while granting the privilege of anticipatory bail to Shishir, this Court had considered the case in detail and on merits. It is further submitted that Kharbar Gope @ Yogendra Kumar and Divya Sundar @ Divyan, who are also named in the FIR, had approached this Court seeking regular bail by filing Criminal Miscellaneous No. 75735 of 2024 and Criminal Miscellaneous No. 4903 of 2025 respectively and the same were allowed by an order dated 25.10.2024 and 14.02.2025 respectively. It is further submitted that while considering the case of Kharbar Gope and Divya Sundar @ Divyam, the Court had considered the case on merits and in detail. It is next submitted that during the course of investigation, no material has come which could even remotely connect the petitioner with the offence. It is next submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Alamganj P.S. Case No. 511 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

(Satyavrat Verma, J)

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