

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2894 of 2025

Arising Out of PS. Case No.-149 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Ritesh Kumar @ Ritesh Thakur @ Ritash Kumar S/O Chandeshwar Thakur
Resident of Village- Narayanpur Khairi(Vard 10 Naraenpur Khairi), P.S.-
Tajpur(Waini OP), mentioned in the FIR P.S. Waini (Pusa OP), District-
Samastipur,

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv

For the Opposite Party/s : Mr. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 14-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Muzaffarpur Sadar P.S.
Case No. 149 of 2022 registered for the offences punishable u/s
25(1-b) a, 26 and 35 of the Arms Act.

3. As per the prosecution case, during the vehicle
check, the police saw a motorcycle trying to escape, however,
one of the riders got apprehended. On being asked, he disclosed
his name as Ravi Pandey and one country-made loaded pistol
and a mobile phone was seized and he also disclosed the names
of the other co-accused persons, who were along with him and



had fled, being Ritesh Kumar (petitioner) and Amitabh Shahi.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner was not apprehended at the place of occurrence. It is next submitted that the co-accused person, namely, Ravi Pandey, who had disclosed the name of the petitioner has already been granted bail by a co-ordinate Bench of this Court vide order dated 01.10.2022 passed in Cr. Misc. No. 40196 of 2022. It is lastly submitted that the petitioner has three criminal antecedents and is in custody since 23.04.2024.

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

6. Considering the aforesaid submissions of the parties and taking into account the fact that the petitioner was not apprehended from the place of occurrence and also considering the fact that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court coupled with the fact that the petitioner is in custody since 23.04.2024, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Court concerned, Muzaffarpur, in connection with Muzaffarpur Sadar P.S. Case No. 149 of 2022, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner's involvement is found in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Sourendra Pandey, J)

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