

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14040 of 2025

Arising Out of PS. Case No.-29 Year-2019 Thana- CHARPOKHARI District- Bhojpur

Ritesh Kumar Son of Butan Ram Resident of village- Paliya, PS-
charpokhari , District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Nagendra Upadhyay, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-04-2025 Heard Mr. Ajay Kumar Singh, learned counsel for
the petitioner, Mr. Nagendra Upadhyay, learned counsel
appearing on behalf of the informant as well as Mr. Bharat
Bhushan, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Charpokahri P.S. Case No. 29 of 2019, F.I.R.
dated 15.02.2019 for the offences punishable under Sections
341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along
with other accused persons assaulted to the informant and her
family members due to which total six persons suffered injuries.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that there is



case and counter case between the parties. He further submits that it appears from the F.I.R that the date of occurrence as alleged in the F.I.R is 11.02.2019 but the present F.I.R has been instituted on 15.02.2019 i.e., after delay of four days without giving any explanation of the said delay. Apart from that the allegation against the petitioner is that he has assaulted to the informant by means of iron rod on her head due to which she received injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the nature of injury received by the injured person is simple, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 29 of 2019,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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