

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25494 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- SIKARHATTA District- Bhojpur

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Ritesh Kumar S/O Kamta Singh Resident of Village- Tarari, P.S.- Tarari,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Sikarhatta P.S. Case No. 05/2025 instituted under Sections 191(2), 122, 223(a), 223(b), 132, 115(2), 121(1) and 324(5) of B.N.S.S. lodged on 09.01.2025 by the informant, Vivek Kumar.

3. As per the prosecution story, the informant alleged that after one Sanjit Kumar expired in a road accident, when the Police reached the place of occurrence, the locals agitating there attacked. The allegation of participation is also on this petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of criminal antecedent of the same nature, he has been named, has no role to play, came to know about the death, went to



the place, has been implicated.

5. Learned APP opposes the prayer and submits that it is unfortunate after any road accident, the locals get assembled and not only prohibit the police in conducting the investigation, also attacks the tourist moving through that road. In fact, they became criminals in crowd. The submission is that to show his bonafide, he intends to pay Rs. 5000/- to the Chief Minister's Relief Fund through Demand Draft issued by the local branch of the State Bank of India.

6. Considering the submissions of the parties as also the fact that the FIR lodged, he will face the music, omnibus allegation is there, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.5000/- the Chief Minister's Relief Fund through Demand Draft issued by the local branch of the State Bank of India.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sikarhatta P.S. Case No. 05/2025 to the satisfaction of learned A.C.J.M.-IX, Bhojpur at Ara subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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