

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40967 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- SALAIYA District- Aurangabad

1. Ritikesh Kumar @ Aman Kumar, aged about 19 years, Male, S/O Mithlesh Yadav
2. Gaurav Kumar, aged about 20 years, Male, S/O Vinod Yadav
Both are R/O Vill. and P.S.- Salaiya, Dist.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-07-2025 Heard Mr. Aman Vishal, learned counsel appearing on behalf of the petitioner and Mr. Jharkhandi Upadhyay, learned APP for the State.

2. The petitioners seeks pre-arrest bail in connection with Salaiya P.S. Case No. 35/2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 303(2), 351(2), 352, 324(4) and 326(6) of the BNS.

3. As per the allegation made in the FIR, the informant has alleged that petitioners have assaulted him with an intention to kill and they also snatched Rs.7,500/- from him. Further allegation is that the accused persons also snatched the key of his motorcycle and thereafter it was found that the same



was burnt by them.

4. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case between the parties. General and omnibus allegation has been levelled against the petitioners. He further submitted that the petitioners are innocent and no such incidence as alleged in the FIR has taken place, nor they are involved in the said incidence. Due to previous enmity, informant and his associates have also assaulted the petitioner no.2 on 10.03.2025 in which he sustained injuries and he was admitted at District Hospital, Aurangabad for treatment. Petitioners have one criminal antecedent in connection with Salaiya P.S. Case No.57/2024 which has also been lodged by the present informant.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having considered the allegation made in the FIR, I find that the allegation is that of setting the motorcycle on fire and complicity of the petitioners has been alleged. There is case and counter case between the parties. General and omnibus allegation has been levelled against the petitioners. I am of the opinion that petitioners have, prima



facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Aurangabad, Bihar in connection with Salaiya P.S. Case No. 35/2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedents of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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