

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44318 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- SIMRI District- Darbhanga

Ritesh Kumar @ Ritesh Raushan Kumar S/o Ram Dayal Mahto R/o Village-
Banauli, P.S.- Simri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-07-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Simri P.S. Case No. 77 of 2025 for the offence under sections 126(2), 109, 324(2) and 3(5) of the BNS lodged on 16.03.2025 by the informant, Ganeshi Sah.

3. As per the prosecution story, the informant alleged that on the day of festival Holi, the son of the informant was going to purchase *abir* from the market when it is alleged that the petitioner caught hold of him and after sprinkling petrol, lit fire and thereafter, other co-accused Suman Kumar started making reel. Only due to timely intervention of locals, the fire was extinguished and he was shifted to the Health Center, Singhwara and then to Darbhanga Medical College and Hospital for better treatment. This led to the FIR.



4. Learned counsel for the petitioner submits that he is a student having no criminal antecedent, during Holi festival, certain unfortunate incident took place, he had no intention to put him ablaze, for the said act, on his own, without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner would like to contribute Rs. 10,000/- towards the medical assistance of the injured through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned counsel for the informant has provided photograph to show that the feet and hand of the informant's son was injured due to the act of the petitioner.

6. It is an unfortunate incident, in a zeal to make reels and to get popularity, the young persons are taking extreme steps, in this case, the son of the informant was injured. However, he being the young person, putting him behind jail will not serve any purpose, FIR is there and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- as undertaken by the learned counsel



for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court and handed over to the injured.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned CJM, Darbhanga in connection with Simri P.S. Case No. 77 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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;

(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)

Adnan/-

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