

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62906 of 2024

Arising Out of PS. Case No.-30 Year-2023 Thana- MAHILA P.S. District- Madhepura

Ritik Kumar Paswan @ Ritik Kumar S/O Abhay Kumar @ Abhay Paswan
R/O Village- Jotaili, P.S- Behariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

Ms. Pooja Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 03-01-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Madhepura Mahila P.S. Case no. 30 of 2023 (Sessions Trial no.130 of 2024) registered under sections 376 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the petitioner on the point of a firearm has been threatening her and committed rape on her. She further states that he has been saying that he would shoot down her children as also her husband.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 20.2.2024 (Annexure-1) passed in Cr. Misc. no. 5189 of 2024. In spite of the petitioner having remained in



custody since 9.10.2023 not a single witness has been examined on behalf of the prosecution. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 20.9.2024 and again another report contained in letter dated 7.12.2024, it transpires that inspite of the prosecution having been directed to produce their witnesses, not a single witness has been examined on behalf of the prosecution in the last more than 3 months. Summons and bailable warrants have been issued for appearance of the witnesses.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner having remained in custody for more than 1 year since 9.10.2023, his having no criminal antecedent, no witnesses having been examined on behalf of the prosecution and the Court having issued summons and bailable warrants for appearance of the prosecution witnesses, the petitioner is directed to be enlarged on bail in connection with Madhepura



Mahila P.S. Case no. 30 of 2023 (Sessions Trial no.130 of 2024)
on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
the learned Additional Sessions Judge Ist, Madhepura.

(Partha Sarthy, J)

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