

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11665 of 2026

Arising Out of PS. Case No.-407 Year-2025 Thana- SHAHPUR PATORI District- Samastipur

Ritesh Kumar S/O Vijay Ray R/O Village- Lawapur, P.S. and Distt.-
Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Surya Narayan Kumar, Advocate
For the Opposite Party/s :	Mr. Ram Sevak Choudhary, APP
For the Informant :	Ms. Ayushi Gupta, Advocate
	Mr. Sunil Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-04-2026 Heard Mr. Surya Narayan Kumar, learned counsel for the petitioner, Ms. Ayushi Gupta, learned counsel for the informant and Mr. Ram Sevak Choudhary, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 18.10.2025 in connection with Patori P.S. Case No. 407 of 2025, F.I.R. dated 09.10.2025 for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 303(2), 352, 351(2) and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused persons including this petitioner armed with deadly weapons entered into the house of the informant to commit loot and also brutally assaulted the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. He further submits that it appears from the FIR that the FIR is in two parts. According to part one, there is direct and specific allegation against the co-accused, namely, Roshan Kumar that he has assaulted to the informant by means of pistol butt and according to part two, there is allegation that the petitioner and other accused persons have also assaulted to the informant. He further submits that it appears from the FIR that there is no specific allegation of assault or overt act against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.10.2025.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has actively participated in the present crime in question and he has assaulted to the informant. Apart from that the petitioner carries three criminal antecedents other than the present one but fairly submits that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 ACJM,



Samastipur/concerned court in connection with Patori P.S. Case
No. 407 of 2025, subject to the 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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