

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13569 of 2026

Arising Out of PS. Case No.-247 Year-2025 Thana- JHAJHA District- Jamui

Ritik Kumar @ Ritik Rawat S/o- Arun Rawat @ Arun Ravat Vill- Sohjana
Rawat Tola, P.S- Jhajha, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Jhajha P.S. Case No. 247 of 2025, dated 25.05.2025, lodged under Section 115(2), 126(2), 109 & 118(2) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against the present petitioner alleging that the petitioner assaulted the informant’s brother, Mohit Kumar, as a result of which he sustained a head injury, fell down, and was thereafter taken to hospital.

4. Learned counsel for the petitioner submits that, in



the present case, subsequently Section 302 of the Indian Penal Code/Section 103(1) of the BNS has been added. Counsel further submits that the petitioner is innocent and has committed no offence. Counsel further submits that the criminal antecedent of the petitioner is not clean, as two criminal cases are pending against him in which he is on bail. Counsel further submits that during investigation, materials have come on record in the case diary which would show that the petitioner is innocent. Counsel further submits that the person who was sitting with him on the motorcycle, as mentioned in paragraphs 3 and 4 of the case diary, is in contradiction with the *fardbeyan*. Counsel further submits that, as per paragraph 26 relating to CCTV footage, the incident/accident has been identified. Counsel further submits that for this reason the case diary has been called for, including the post-mortem report. Counsel also submits that the petitioner is ready to abide by and fulfill all the conditions that may be imposed.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the case diary has been called for and, from the post-mortem report, it has been indicated that no external injury has been found on the body and that the cause of death is cardiac respiratory failure. Counsel



fairly submits that, in light of the post-mortem report and the case diary, the *fardbeyan* does not appear to be correct.

6. In the present facts and circumstances of this case, as well as considering the contradiction in the FIR regarding the alleged head injury and the post-mortem report, wherein it has been found that there is no external injury on the entire body, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate (CJM), Jamui, in connection with Jhajha P.S. Case No. 247 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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