

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22834 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- BARH District- Patna

=====

RAUSHAN KUMAR @ BABA Son of Ganesh Tiwari Resident of Village-
Sultanpur, Police Station-Mokama and District-Patna. At present Bichali
Malahi, Police Station-Barh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.A.G

=====

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case
registered for the offence punishable 25(1-b)a, 26 and 35 of the
Arms Act.

Informant in his written report has alleged that on
13.01.2020 he received secret information that some unknown
miscreants have assembled near Barh Block Office to commit
some grave crime and when he reached there along with police
party, on seeing the police party unknown miscreants tried to
flee away however, after chase three were apprehended by the



police who disclosed their name as Shantanu Kumar, Raushan Kumar (petitioner) and Dharamveer Kumar. From the possession of petitioner two live cartridges and one smartphone was recovered.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to ulterior motive. No independent witness has signed the seizure list and there is no compliance of Section 100 of the Code of Criminal Procedure. Petitioner is in custody since 14.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Barh P.S. Case No. 18 of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

