

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.4590 of 2021**

Arising Out of PS. Case No.-298 Year-2019 Thana- DESARI District- Vaishali

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RAUSHAN KUMAR @ RAUSHAN RAY @ RAUSHAN KUMAR RAY  
Son of Sudhir Kumar @ Sudhir Rai Resident of Village - Madhaul Harpur  
Chand, P.S.- Desari, District - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bela Singh, Advocate  
For the Opposite Party/s : Mr. Jawahar Choubey, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR  
ORAL ORDER**

2      08-10-2021                      This matter has been taken up for hearing online  
because of COVID – 19 pandemic restrictions.

Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioners are expected to  
honour his undertaking to remove the defects, as pointed out by  
the office, when called upon to do so by the office.

The petitioners are apprehending their arrest in  
connection with Desari P.S. Case No. 298 of 2019 for the  
offence registered under Section 395 of the Indian Penal Code.



The prosecution case as per the First Information Report is that 10-15 unknown criminals entered into the house of the informant and started assaulting the wife of the informant and other family members. The accused persons thereafter, taken away silvers and gold jewelries worth Rs. 5,50,000/- and cash of Rs. 30,000/- after broking the godrej almirah.

Learned counsel for the petitioners submits that the petitioners have not been named in the first information report and their name has subsequently surfaced on the basis of the confessional statement of co-accused, namely, Ritesh Kumar. It is further stated that nothing incriminating articles has been recovered from the possession of the petitioners nor any TIP has been held till date. Statement has been made in paragraph -3 of this petition that petitioners are involved in one other case apart from the present one in which they have been granted bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – IV, Vaishali in connection with Desari P.S.



Case No. 298/2019, subject to the conditions as laid down under  
Section 438(2) of the Cr. P.C.

**(Sunil Kumar Panwar, J)**

Jagdish/Shageer

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