

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1917 of 2021**

Arising Out of PS. Case No.-214 Year-2020 Thana- DARBHANGA District- Darbhanga

RAUSHAN KUMAR@RAUSHAN KUMAR JHA aged about 20 years son
of Moti Kant Jha @ Moti Jha Resident of Mohalla- Digghi West, Near
Shashtri Chowk, P.S.- Town, District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-03-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered
for the offence punishable under sections 307, 353/34 of the
Indian Penal Code and 25(1-b)a, 26, 27 and 35 of the Arms Act.

As per the prosecution case, on secret information
when police reached near Shastri Chowk, miscreants started
firing upon police, whereupon police party also made retaliatory
firing and on chase apprehended the petitioner and his associate
Saurabh Shrivastava. From the petitioner one pistol, one live



cartridge and a mobile phone were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case as no incriminating material has been recovered from the conscious possession of the petitioner and he has nothing to do with the alleged recovery. Charge sheet has already been submitted. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 2.8.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Town Police Station Case No. 214 of 2020 on the following conditions:-

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

(2) 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.

(Prabhat Kumar Singh, J)

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