

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15596 of 2022**

Arising Out of PS. Case No.-692 Year-2021 Thana- KUDHNI District- Muzaffarpur

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RAUSHAN KUMAR Son of Vijay Kumar Yadav @ Hanshlal Rai Resident of
Village - Jagarnathpur, P.s.- Kudhani, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar, Advocate
For the Opposite Party/s : Mr. Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-07-2022 Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with NDPS Case No. 129 of 2021 arising out of Kudhani P.S.
Case No. 692 of 2021 for the offences under Sections 25(1-b),a
26 of the Arms Act and Sections 8, 20 and 22 of the NDPS Act.

The allegation in the FIR is that the police upon
information intercepted and caught hold of amongst other the
petitioner herein and upon search, it is alleged that one loaded
country made pistol with live cartridge was recovered from him.
Accordingly, the said pistol and cartridge were seized and the
petitioner was taken into custody and he is in jail since then i.e,
11.09.2021.



Taking into account the aforesaid facts and the charge sheet has already been submitted and the petitioner is in custody since 11.09.2021, this court is inclined grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of IInd Additional Sessions Judge, Muzuffarpur in connection with Kudhani P.S. Case No. 692 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;



(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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