

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42247 of 2022

Arising Out of PS. Case No.-177 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Raushan Kumar, Son of Late Lalit Singh, Resident of Village - Harpur
Mukund, P.s.- Rajapakar, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Hajipur Sadar P.S. Case No. 177 of 2022
registered for the alleged offences under Section 414 of the
Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms
Act.

As per prosecution case, police received secret
information about two miscreants coming on a motorcycle with
intention to robbery and they were armed. The said motorcycle
was intercepted and the petitioner and co-accused were
apprehended while they tried to flee away. From the petitioner a



loaded country made pistol with two live cartridges were recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not arrested from the spot and nothing was recovered from his possession. The petitioner is in custody since 13.03.2022 and charge sheet has already been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner has got criminal antecedent and is accused in two cases of serious nature.

Having regard to the facts and circumstances and submissions made on behalf of the parties and further considering the period of custody and submission of charge-sheet against this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 177 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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