

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12005 of 2023**

Arising Out of PS. Case No.-528 Year-2022 Thana- MUZAFFARPUR SADAR District-  
Muzaffarpur

=====

Raushan Kumar S/O Vijay Kumar Yadav R/V- 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  
For the Opposite Party/s : Mr.Surendra Kumar

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

3      26-07-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 413,  
414/34 of the Indian Penal Code.

As per prosecution case, the petitioner was  
apprehended on the spot when he assembled to commit any  
offence and upon search two mobile phones were recovered  
from his possession.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He has  
falsely been implicated in this case merely on the basis of



criminal antecedent. The petitioner has not committed any offence and there is no case lodged by anyone for the recovered mobile phones. Similarly situated co-accuse has already been granted bail by this Court vide order dated 20.04.2023. It is further submitted that the petitioner is languishing in judicial custody since 10.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Muzaffarpur Sadar P.S. Case No. 528 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Muzaffarpur.

**(Sunil Kumar Panwar, J)**

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