

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44774 of 2022

Arising Out of PS. Case No.-140 Year-2022 Thana- FATUA District- Patna

RAUSHAN KUMAR, S/o- Rajendra Rai @ Rajendra Ray, R/o Mohalla -
Jhavan Gali, P.S.- Chowk, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Fatuha P.S.
Case No. 140 of 2022 registered for the offence punishable under
Sections 414, 399 and 402 of the Indian Penal Code and Sections
25(1-B)a, 26 and 35 of the Arms Act.

As per prosecution case, two pistols, cartridges, mobile
phones and a motorcycle has been recovered from the petitioner
along with other co-accused person, while they were apprehended by
the Police.

Learned counsel for the petitioner submits that no such
recovery has been made from the petitioner. Based on three
antecedents, the petitioner has been implicated in this case. Petitioner
is on bail in the three earlier cases pending against him, as disclosed



in paragraph 3 of the supplementary affidavit. In the instant case, he is in custody since 24.02.2022. Moreover, investigation is also complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, nature of allegations and the period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna City, in connection with Fatuha P. S. Case No. 140 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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