

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48235 of 2022

Arising Out of PS. Case No.-185 Year-2022 Thana- SUPAUL District- Supaul

RAUSHAN KUMAR S/o Dharnidhar Singh Resident of Village- Ratauli
(Ward No.-3), P.S.- Pipra, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha, Adv

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and the learned
APP for the State through virtual mode in view of COVID-19.

The petitioner apprehends his arrest in connection with
Supaul P.S. Case No.185 of 2022 instituted under Sections 25(1-
B)a,26,35 of Arms Act.

As per the prosecution story, the police got secret
information that the accused Vivek Yadav is roaming in Supaul
Emergency Hospital and further they got information that he is
present in a house behind the hospital. The owner of the house was
called who said that the same has her let out to Raushan Kumar and
Sudhir Kumar. Raushan Kumar is the petitioner before this Court
and when the said room was searched, a countrymade pistol and
misfired cartridge were recovered. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that he had
nothing to do with the said house nor he is the tenant of Ajit Anjum
who is the owner of the house and only because the police had



reached the place, he gave the name of the present petitioner to save himself and accordingly, the FIR was lodged against him. The last submission is that he do not have any criminal antecedent.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that there is nothing on record to show that the said house actually was let out to the petitioner herein, he do not have any criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Supaul P.S. Case No.185 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Supaul, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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