

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74564 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- BIRAUL District- Darbhanga

=====

RAUSHAN THAKUR Late Sitaram Thakur @ Late Sita Ram R/o village-
Saidnagar Kaliasthan, P.S.- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Anil Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 401 and 411 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, the police got an informant that 04 criminals sitting on two motorcycles coming towards Dekuli Dham upon which police reached there and caught the petitioner along with three co-accused. On search, one country made pistol, one live cartridge and cash of Rs. 50,000/- were recovered from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He



has falsely been implicated in the present case due to his past criminal antecedents. The petitioner has no concern with other accused persons as well as alleged arms which were seized by the police. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 23.04.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Biraul P.S. Case No. 164 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Biraul, Darbhanga.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

