

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3896 of 2024

Arising Out of PS. Case No.-210 Year-2023 Thana- VISHNUPAD District- Gaya

Raushan Kumar Son of Sri Lalan Yadav Resident of Village - Barma, P.S. -
Vishnupad, District - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Utkarsh Bhushan, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Vishnupad P.S. case No. 210 of 2023 instituted for the offences
under Sections 399, 402 of the Indian Penal Code and Sections
25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that police on secret
information raided the place where the accused persons were
trying to commit *dacoity*. Seeing the police party the accused
persons tried to flee away but some of the accused persons,
including this petitioner, were apprehended whereas two
accused persons managed to flee away. On search, one live
cartridge was recovered from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 26.07.2023 and has no criminal
antecedent. The petitioner has falsely been implicated in the



present case. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Similarly situated co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 18.01.2024 passed in Cr. Misc. No. 1913 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Vishnupad P.S. case No. 210 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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