

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14190 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- GORAUL District- Vaishali

Rajesh Raushan @ Raja S/o Prem Kumar Resident of Village- Harpur Arara,
P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

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

ORAL ORDER

2 07-03-2024 Learned counsel for the petitioner is permitted to
make necessary correction in paragraph-11 of the present bail
application.

2. Heard learned counsel for the petitioner and learned
APP for the State.

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

4. Prosecution case, in short, is that, police got secret
information that some miscreants have assembled for
committing robbery at Raja Chowk canal road. On this
information, police raided the said place. Seeing the police



party, the accused persons tried to flee away but all of them including this petitioner were apprehended by police and recovery was made. It is further alleged that on search, Rs. 20,000/- and one live cartridge was recovered from this petitioner.

5. Learned counsel for the petitioner submitted that the petitioner is innocent has falsely been implicated in the present case. Learned counsel further submitted that there is no compliance of Section 100 of the Cr.P.C. Charge-sheet has been submitted in this case. Charge-sheet has been submitted in this case. The co-accused persons have been granted bail by this Court vide order dated 23.02.2024 and 01.03.2024, passed in Cr. Misc. No. 11411 of 2024 and Cr. Misc. No. 12697 of 2024 respectively. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.09.2023 and has no criminal antecedent.

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

7. Considering the aforesaid facts and circumstances of the case, no antecedent, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



8. 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 Goraul (Kathara O.P.) P.S. case No. 402 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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