

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24052 of 2024**

Arising Out of PS. Case No.-291 Year-2023 Thana- BHAGWANPUR District- Vaishali

Raushan Kumar @ Chotu Singh @ Chhotu S/O Kusheshwar Singh R/O  
Village- Rusulpur Sohaban, P.S- Bhagwanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

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

ORAL ORDER

3      21-06-2024              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Bhagwanpur P.S. Case No. 291 of 2023 instituted for the  
offence under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3.      Prosecution case as emanated from the FIR is that  
there is recovery of one country made pistol, one live cartridge  
and one knife from the possession of the petitioner.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 23-12-2023. Petitioner  
bears two criminal antecedents, as per disclosure made in  
paragraph No. 3 of the bail application.

5.      It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submits that charge sheet has been submitted in this case. There is no compliance of Section 100 of the Cr.P.C. Other co-accused have been allowed bail *vide* orders dated 30-04-2024 & 17-05-2024, passed in Cr. Misc. No. 29465 of 2024 & Cr. Misc. No. 25292 of 2024, respectively.

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, period of custody of the petitioner and claim based on parity, 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 Bhagwanpur P.S. Case No. 291 of 2023.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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