

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38719 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- MADHUBAN District- East Champaran

Angad Raut Son Of Mishri Raut Resident Of Village - Sursand Ward No. 18,
P.S. - Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
	:	Mr. Hemant Ray, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Madhuban P.S. Case No. 34 of 2024, lodged on 27.01.2024
under Sections 25(1-b) a, 26, 35 of the Arms Act.

3. As per the prosecution, FIR has been filed against
two named accused persons including the present petitioner. The
recovery of arms with cartridge is the subject matter of the
present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that arms has been recovered from the possession of the
petitioner rather it has been recovered from the possession of the
co-accused. Learned counsel further submits that petitioner has
unnecessarily been made accused in this case and he is in
custody since 28.01.2024. There are five criminal antecedent of
the petitioner and he is on bail in all cases. Learned counsel for



the petitioner next submits that arms has not been recovered from the possession of the petitioner therefore Arms Act is not attributed against the petitioner.

5. Learned counsel for the state opposes the prayer of bail and submits that from the petitioner's possession, screw driver and iron sawal has been recovered. He further submits that antecedent of the petitioner is not clean and he is in custody since 28.01.2024. He next submits that there are five criminal cases pending against the petitioner and at the time of consideration of the bail, this aspect may be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail, but only after framing of charge, if not framed on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran Madhuban in connection with Madhuban P.S. Case No. 34 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. However the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not



absconding in any of the cases pending against him whose details are as follows:-

- (I) Sursand P.S. Case No. 567 of 2021
- (II) Sursand P.S. Case No. 569 of 2021
- (III) Sursand P.S. Case No. 574 of 2021
- (IV) Bajpatti P.S. Case No. 358 of 2021
- (V) Bajpatti P.S. Case No. 369 of 2021

(Dr. Anshuman, J)

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