

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40787 of 2024

Arising Out of PS. Case No.-291 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Roshan Kumar @ Roushan Kumar Son of Bilash Yadav @ Vilas Yadav
Resident of Village- Biratpur, Basbitti, Ward No- 11, P.S- Sonbarsa Raj, Dist-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 2 10-06-2024 1. Heard learned counsel appearing on behalf

of the petitioner and learned APP appearing on behalf of

the State.
2. The petitioner seeks bail in connection with

Sonbarsa Raj P.S. Case No:- 291 of 2023 registered for

the offence under Sections 25(1-B)(a), 26 of the Arms

Act.
3. The accused/petitioner is named in the F.I.R.

and is in custody since 13.12.2023.
4. The allegation against the petitioner is to

have in possession of one loaded country made pistol.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner falsely implicated with present case out of police atrocities, which is evident from the seizure list itself, as seizure list even did not disclose that from whom the looted country made pistol was recovered. It is submitted that as petitioner found involved in two more criminal cases, where he is on bail in one case, out of said suspicion he was implicated with present false case also. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and by taking note of fact as seizure list *prima facie* doubt *qua* recovery of alleged pistol from the conscious physical possession of petitioner coupled with the fact that charge-sheet has already submitted,



where petitioner is in custody since 13.12.2023 accordingly, petitioner above named, is directed to be released on bail in connection with Sonbarsa Raj P.S. Case No. 291 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 learned Judicial Magistrate, 1st Class, Saharsa/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

veena/suruchi-

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

