

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46230 of 2024

Arising Out of PS. Case No.-237 Year-2020 Thana- JANDAHA District- Vaishali

Raushan Kumar @ Raushan Kumar Singh Son of Dharam Singh @ Dharm
Narayan Singh R/O Vill.- Mahisour, P.S.- Jandaha, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

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

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

ORAL ORDER

4 25-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jandaha
P.S. Case No. 237 of 2020 instituted for the offences under
Sections 147, 148, 149, 341, 323, 307, 504 of the Indian Penal
Code and Section 27 of the Arms Act.

3. Prosecution case, in a nutshell, on the alleged date
and time, the quarrel took place between one Raju Sah and the
accused persons including the petitioner. The informant pacified
the quarrel. Thereafter, all the accused persons including the
petitioner variously armed came at the door of the informant and
started assaulting him. It is further alleged that the accused
persons started firing indiscriminately and, as a result the



informant sustained injuries.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Learned counsel further submitted that petitioner and the informant are co-villagers and due to local village politics, his name has transpired in this case. Learned counsel further submitted that informant sustained fire-arm injuries but, in fact, no injury report is available on record. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.02.2024 and has two criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

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, charge-sheet being submitted, no specific allegation against the petitioner as also the period of custody undergone by the petitioner, 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 Jandaha P.S. Case No. 237 of 2020.

(Rudra Prakash Mishra, J)

Alok Verma/-

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