

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47608 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- BARGAINIA District- Sitamarhi

Raunak Kumar Son of Mahendra Paswan R/O Gandhi Nagar, (Jawahar Nagar), P.S.- Bairgania, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Singh, Adv.

For the Opposite Party/s : Ms.Renu Kumari, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bairgania P.S. Case No. 295 of 2023 registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act and Section 399, 402 of the Indian Penal Code.

3. As per prosecution case, the police, on receipt of secret information, apprehended two persons and recovered arms and ammunition from their possession. The apprehended persons disclosed the names of the other accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner was not arrested from the spot and, thus, nothing incriminating has been recovered from his conscious possession or from his house. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the apprehended co-accused Bharat Kumar and, except confessional statement, nothing has come against the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present application. The petitioner has no concern with the alleged occurrence or the seized articles. The petitioner has also no concern with the arrested co-accused persons.

5. Learned counsel for the petitioner further submits that the co-accused Md. Rijwan Mansoori @ Md. Rijawan Mansuri @ Rijwan has been granted anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No. 41838 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-



named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bairgania P.S. Case No. 295 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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