

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47939 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- BARAHAT District- Banka

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Raushan Kumar @ Raushan Kumar Yadav S/o Vinod Yadav R/o Vill- Laskari
(Kenua Tikar), P.S. - Banka, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate
For the State : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-08-2024 Heard learned counsel for the Petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Barahat P.S. Case No. 303 of 2023 dated 26.12.2023 registered for the offences punishable under Sections 341, 323, 307 read with Section 34 of the Indian Penal Code and under Sections 25 1B (a), 26 and 35 of the Arms Act.

3. Mr. Brij Nandan Prasad, learned counsel appearing for the petitioner submits that the petitioner is a twenty years old young person, he is a co-villager of the informant and in fact, a dispute on account of playing cricket had taken place in between the petitioner, victim and others which resulted in the alleged occurrence but there is no serious allegation against this petitioner. It is further submitted that the informant sustained



simple injuries and in this regard, the order impugned may be perused. Learned counsel further submits that as per allegation, the firearm is said to have been snatched from the accused persons when they attempted to flee on seeing the villagers but it is not mentioned in the FIR that the said firearm was snatched from the possession of the petitioner and the seizure list shows that the alleged firearm was produced by the prosecution party.

4. Mr. Rabindra Kumar, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Having considered the facts and circumstances of this case as well as the above noted submissions coupled with the young age of the petitioner and his fair and clean antecedent and also the facts that the alleged firearm was produced by the prosecution party and the injuries of the victim have been opined to be simple in nature, in my opinion, in the said circumstances, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Barahat P.S. Case No. 303 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



the Court concerned, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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