

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54322 of 2024

Arising Out of PS. Case No.-286 Year-2024 Thana- BIHTA District- Patna

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Raushan Kumar S/o Shri Lila Ray @ Leela Kumar Yadav R/o Village
Bahpura Daulatpur Simri Nawada PS Bihta District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Sinha, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihta
P.S. Case No. 286 of 2024 instituted for the offences under
Sections 399, 402 of the Indian Penal Code and Section 25(1-
b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police on the
basis of secret information that some miscreants have assembled
to commit some crime, raided the place of occurrence and
apprehended five accused persons including the petitioner. On



search, various arms and ammunitions were recovered from the co-accused persons.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery of arms and ammunitions has been made from other co-accused persons who were apprehended at the spot. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.03.2024 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, the fact that no recovery of any arms or ammunitions is attributed to this petitioner as well as 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 Bihta P.S. Case No.
286 of 2024.

Alok Verma/-
(Rudra Prakash Mishra, J)

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