

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57857 of 2024**

Arising Out of PS. Case No.-80 Year-2024 Thana- KEWATI District- Darbhanga

Raushan Mandal @ Raushan Kumar Mandal S/o- Parikshan Mandal Resident
of village-Bajidpur,Milki chack, Ps-Bahadurpur, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

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

ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Keoti P.S. Case No. 80 of 2024 registered for the offences
punishable under Sections 399, 402, 414 of the Indian Penal
Code and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that police on secret
information regarding assembly of anti-social elements who
were planning to commit loot, reached at the place of
occurrence, whereafter five cartridges, motorcycle and mobile
phones were recovered from the possession of the co-accused
persons.

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. Nothing has been recovered from the possession of the petitioner. Petitioner is alleged to have fled away from the place of occurrence. It is submitted that one motorcycle is alleged to be recovered from the spot, but the fact is that police has forcefully seized the vehicle from the house of the petitioner, for which the wife of the petitioner has lodged complain before the S.S.P. Darbhanga on the same day. Petitioner is a man of clean antecedent. It is lastly submitted that co-accused have been granted bail by this Court *vide* orders dated 14-08-2024 & 31-08-2024, passed in Cr. Misc. No. 55806 of 2024 & Cr. Misc. No. 60201 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, 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 Keoti P.S.
Case No. 80 of 2024, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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