

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71341 of 2024**

Arising Out of PS. Case No.-21 Year-2024 Thana- BITHAN District- Samastipur

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Raushan Kumar Son of Vinod Kumar Yadav @ Vinod Kumar Ray Resident of  
Village - Kua, Ps- Bithan, Dist- Samastipur ... .. Petitioner/s  
Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar  
For the Opposite Party/s : Mr.Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      29-11-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Section 399 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act, registered in connection with Bithan P.S. Case No. 21 of 2024.

3. As per prosecution case, there has been recovery of one loaded country-made pistol from waist of the petitioner.

4. The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case and has committed no offence. Petitioner has no concern with the alleged recovery of arms. On the basis of suspicion and due to his criminal antecedents, he has been made accused in this case. Petitioner is in custody since 24.02.2024. He has further



submitted that exactly on similar footing, co-accused person has been granted bail by a Bench of this Court in Cr. Misc. No. 54500 of 2024.

5. Learned APP for the State has opposed the prayer of bail.

6. Considering the above facts and circumstances of the case as well as period of custody undergone by petitioner, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Rosera, Samastipur in connection with Bithan P.S. Case No. 21 of 2024, subject to the condition that the petitioner shall co-operate in the disposal of trial and make himself available as and when required by the Court.

**7. Before accepting the bail bonds, the criminal antecedent(s) of the petitioner shall be verified and if it is found that he is involved in any other case, except the cases which have been mentioned in paragraph-3 of this petition, his bail bonds shall not be accepted.**

**(Nawneet Kumar Pandey, J)**

Nirmal/-

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