

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85572 of 2023

Arising Out of PS. Case No.-261 Year-2023 Thana- SHAMBHUGANJ District- Banka

Raushan Kumar @ Roushan Kumar @ Bittu Son Of Birendra Kumar Bhagat
Vill- Hariyari, P.S.- Poraiya Hat, Dist.- Godda, Jharkhand. At Present Gangta,
Beside Dc Koth, P.S.- Town Dist.- Godda, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwendra Singh

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

3. As per FIR, police team apprehended this petitioner along with other co-accused persons while they were planning to make dacoity and on search, a country made pistols along with six live cartridges has been recovered from the possession of co-accused person and some mobiles phones have also been recovered. Petitioner was apprehended on spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner rather the recovery of incriminating article has been made from other co-accused person. He has no concern with the seized articles. It is further submitted from para-6 of this petition that some documents, ATM cards of different banks have been recovered but the same belongs to this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 23.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shambhuganj P.S. Case No. 261 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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