

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2965 of 2024

Arising Out of PS. Case No.-552 Year-2023 Thana- NAANPUR District- Sitamarhi

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ROSHAN KUMAR @ RAUSHAN KUMAR SON OF BAIDYANATH
SINGH RESIDENT OF VILLAGE- BHALHA BHALAHI, P.S.-
BATHNAHA, DISTRICT- SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nanpur P.S. Case No. 552 of 2023 lodged under Sections 414,
399 and 402 of the I.P.C. read with Section 25(1-b)a, 26 and 35
of the Arms Act read with Section 20(b) (ii)(A) of the N.D.P.S.
Act.

3. As per the prosecution case, the F.I.R. has been
lodged against four named and one unknown accused persons.
Upon secret information, police has apprehended the petitioner
and during search, one mobile has been recovered from the
possession of the petitioner whereas a loaded country made
pistol, one cartridge and other things have been recovered from



the possession of other accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner is in custody since 05.11.2023 having clean antecedent.

5. Counsel further submits that the recovery of N.D.P.S. material has been made from the motorcycle which belongs to other accused, namely Ajat Shatru as disclosed by co-accused, namely, Prince Kumar who was using the said motorcycle.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Sitamarhi in connection with Nanpur P.S. Case No. 552 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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