

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5051 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- SHIKARGANJ District- East Champaran

Raushan Kumar S/O Avdhesh Mestar Resident of Harihara, P.S.- Dhaka,
Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Shikarganj P.S. Case No. 30 of 2024 instituted for the offences under Sections 309(4) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that, when the petitioner was on the way, two unknown miscreants boarded on motorcycle intercepted the informant and looted Rs. 12,850/- from him and fled away.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of



co-accused Ajit Kumar who has already been granted regular bail by this Court vide order dated 17.12.2024 passed in Cr. Misc. No. 86131 of 2024. No incriminating/looted article has been recovered from the conscious possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

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, nature and gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. However, liberty is granted to the petitioner to surrender before the learned court below within a period of six weeks and seek regular bail.

(Rudra Prakash Mishra, J)

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