

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22796 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- MUSRIGHRARI District- Samastipur

Raushan Kumar Jha @ Raushan Jha S/o Bipin Jha @ Vipin Jha, Resident of Village - Morva Dih, Ward No.13, Police Station- Musrigharari and District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Musrigharari (Musarigharari) P.S. Case No. 09 of 2025, dated 27.01.2025 registered for the offences punishable under Sections 25(1-B)a, 26 and 35 of the Indian Penal Code.

3. As per the prosecution case, while patrolling, the informant received confidential information that three miscreants were going to commit crime on a black coloured motorcycle and he reached the alleged place and started vehicle checking and during checking, riders of one motorcycle on seeing the police took U-turn to escape, however, the police



apprehended two persons while one managed to flee. It is further alleged that during search, from the possession of Raushan Kumar Jha one loaded country made pistol and a Samsung mobile phone were recovered and from the possession of Birendra Kumar one loaded country made pistol was recovered and a motorcycle was also recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case based on his previous antecedents. He has further submitted that there was non-compliance of the mandatory procedure prescribed under Section 100 of the Cr.P.C. / Section 103 of the BNSS. The petitioner has nine criminal antecedents as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 27.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner's period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in



connection with **Musrigharari (Musarigharari) P.S. Case No. 09 of 2025**, on further conditions:

(I) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(II) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(III) The petitioner is directed to cooperate in the trial before the learned trial Court.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

U		T	
---	--	---	--

