

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47781 of 2025

Arising Out of PS. Case No.-177 Year-2025 Thana- KESARIA District- East Champaran

Anurag Raut, aged about 21 years, Gender-Male, Son of Pramod Raut,
Resident of Village- Bhuwan Chhapra, P.S.- Chakia, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
N.D.P.S. G.R. Case No. 70 of 2025 arising out of Kesariya P.S.
Case No. 177 of 2025 instituted for the offences punishable
under Sections 310(4), 310(5), 317(4), 317(5), 111 of the
B.N.S., Sections 25(1-b)a and 35 of the Arms Act and 20, 22
and 23 of the N.D.P.S. Act.

3. As per allegation in the FIR, upon search, one
country made pistol, one live cartridge and mobile were
recovered from the co-accused persons and weighing 1034 gm
of Charas in two packets has also been concealed in bushes.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He submits that one country made pistol, one live cartridge and mobile were recovered from the possession of co-accused Bhashkar Sahni and his interrogation total 1034 gm Charas in two packets which was concealed in bushes has also been recovered. He further submits that the petitioner was neither arrested on the spot nor anything has been recovered from the conscious possession of the petitioner and his name surfaced in this case only on the basis of confessional statement of co-accused Bhashkar Sahni. He next submits that the petitioner has not put on Test Identification Parade till date. He lastly submits that petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 12.05.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Sessions Judge / Special Judge, East Champaran, Motihari dated 06.06.2025, it appears that on the basis of informant namely Uday Kumar, Police Inspector-cum-S.H.O., Kesariya, Police Station, FIR has been lodged under Sections 310(4), 310(5), 317(4), 317(5), 111 of the B.N.S., Sections 25(1-b)a and 35 of the Arms Act and 20, 22 and 23 of the N.D.P.S. Act against four co-accused persons including the present



petitioner. Petitioner is not arrested at the spot and only one co-accused Bhashkar Sahni, who arrested on the spot has named the petitioner in the alleged offence. It also appears that petitioner has no criminal antecedent as stated in para 3 of the petition is in custody since 12.05.2025, so considering all these aspects of the matter and submission of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, East Champaran, Motihari / Successor Court in connection with N.D.P.S. G.R. Case No. 70 of 2025 arising out of Kesariya P.S. Case No. 177 of 2025.

(Ramesh Chand Malviya, J)

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