

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75611 of 2024

Arising Out of PS. Case No.-135 Year-2024 Thana- BARGAINIA District- Sitamarhi

Sachin Raut Son of Late Swyambar Raut Resident of village -Bakhari, PS-
Bairgania, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh, Advocate
		Ms. D. Bharti, Advocate
For the Opposite Party/s	:	Mr.Nand Kishore Prasad

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

9 18-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bargainia P.S. Case no.135 of 2024 registered under
Sections 399 and 402 of the Indian Penal Code and Section
25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, a secret information
having been received that 6-7 criminals had assembled at a
place to commit some crime, the police party reached the place
of occurrence and apprehended two accused Kamran Khan and
Lalan Kumar while three accused managed to escape. On search
, one loaded country made pistol with one live cartridge were
recovered from possession of the accused.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. He is not named in the F.I.R and he was not arrested at the spot. The name of the petitioner transpired only on the confessional statement of co-accused made before police. He further submits that no incriminating article has been recovered from physical and conscious possession from him. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioner has four criminal antecedents. In response, learned counsel for the petitioner submits that all the four cases are under the provisions of excise and he is on bail in all the cases.

6. In view of the entire facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bargainia P.S. Case no.135 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, subject to the condition laid down under Section 438(2) of the Code of



Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and
subject to the further condition that the learned Court below
would however, verify the criminal antecedent of the petitioner
before releasing him on bail.

(Soni Shrivastava, J)

Harsh/-

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