

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71560 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- ANDHRATHARHI District- Madhubani

Raushan Rai Son of Amod Rai R/o Vill. - Bisanpura, P.S. - Andhartharhi,
Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Andhararhi P.S. Case No. 141 of 2024 (G.R. No. 1607 of 2024) registered for the offences punishable under Sections 309(6) of BNSS read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, Aman Kumar Paswan went for collection of cash and when he reached near Andhrathadi near Kumkum Hotel, two persons on one motorcycle came and assaulted him on his head as a result of which he fell down. It is alleged that accused persons took away the bag containing cash more than one lakh and other documents. It is further alleged that while snatching the bag, a country made pistol fell at the place of occurrence which was



handed over to the police by the Aman Kumar Paswan.

4. Learned counsel for the petitioner submits that petitioner is not named in FIR. During the course of investigation, the name of the petitioner has been transpired in this case upon the confessional statement of co-accused Raushan Mahto @ Raushan Kumar Singh. Except the confessional statement of co-accused there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He further submits that the alleged occurrence took place on 08.10.2024 and on the same day country made pistol was handed over to the police but FIR was registered on 09.10.2024 which questions the authenticity of the prosecution story. Petitioner is in custody since 08.08.2025 and he bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, as mentioned in impugned order. He further submits that co-accused Raushan Mahto @ Raushan Kumar Singh, upon whose confessional statement the name of the petitioner has been transpired in this case, has already been granted bail by the Co-ordinate bench of this Court vide Cr. Misc. No. 32690 of 2025 and the case of petitioner stands on better footing. Hence, petitioner deserves bail.



5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner by submitting that during the course of investigation, the name of the petitioner has been transpired in this case upon the confessional statement co-accused Raushan Mahto @ Raushan Kumar Singh. Hence, petitioner cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, co-accused has already been granted bail by the Co-ordinate Bench of this Court, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., II, Jhanjharpur, Madhubani in connection with Andharatharhi P.S. Case No. 141 of 2024 (G.R. No. 1607 of 2024), subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) The learned trial court shall verify the criminal antecedent of the petitioner as mentioned in para 3 of the bail petition, and in case at any stage, if it is found that the petitioner has concealed his criminal antecedent, the learned trial court shall take step for cancellation of bail bond of the petitioner.

(Alok Kumar Pandey, J)

alok/-

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

