

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2227 of 2025

Arising Out of PS. Case No.-345 Year-2024 Thana- JANKINAGAR District- Purnia

Raushan Kumar @ Roshan Kumar S/O Sri Arwind Yadav @ Arwind Prasad
Yadav @ Arvinda Kumar R/O Vill.- Sahuria, Ward no. 4, P.S.- Janki Nagar,
Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Janki
Nagar P.S. Case No. 345 of 2024 dated 21.09.2024, instituted
for the offence punishable under Sections 310(4), 310(5), 61(2)
of BNS, 2023 and 25(1-B)a, 26 of the Arms Act.

3. The allegation is of recovery of rusted iron rod
from the possession of the petitioner and country made pistols
from the possession of Simple Kumar and Mithun Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that as per the FIR, iron rod was
recovered from the possession of the petitioner. No fire arm has



been recovered from the possession of the petitioner. It is also submitted that the country made pistols were recovered from other co-accused namely, Simple Kumar and Mithun Kumar. The prayer of the petitioner for bail has been rejected due to his criminal antecedents. Lastly, it has been submitted that the petitioner is in custody since 22.09.2024, he has two criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in Janki Nagar P.S. Case No. 345 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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