

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78608 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- LALGANJ District- Vaishali

Raushan Kumar Tatya @ Raushan Tatya Son of Anil Kumar @ Anil Ray R/O
Sathiauta, P.S.- Bhagwanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Lalganj
P.S. Case No. 21 of 2024, instituted for the offences under
Sections 302/34 of the Indian Penal Code and Section 25(1-b)a,
26, 27 and 35 of the Arms Act.

3. Prosecution case, in short, is that accused persons
named in the F.I.R., including the petitioner fired on the brother
of the informant resultantly he died on the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. He
further submitted that, in fact, petitioner was arrested in Digha
P.S. Case No. 46 of 2020, subsequently, he was remanded in the
present case. The name of the petitioner surfaced on the



confessional statement of co-accused Lalan Kumar and Golu Kumar, except the confessional statement, no incriminating material against the petitioner. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Charge-sheet has been submitted in this case. Learned counsel for the petitioner further submits that other co-accused Lalan Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 20.08.2025 passed in Cr. Misc. No. 32116 of 2025. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.06.2024 and has six criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also claim based on parity and also taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Lalganj P.S. Case No. 21 of 2024, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The Petitioner shall not commit offence of a similar nature in future.

(V) The Petitioner shall not leave the territorial jurisdiction of the learned court below without prior permission of the court concerned.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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