

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49266 of 2014

Arising Out of PS.Case No. -281 Year- 2013 Thana -UCHAKAGAON District- GOPALGANJ

Raj Kumar Patel, Son of Lalji Patel, Resident of Village - Chhatiya, Police Station - Baruraj District – Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate.

For the Opposite Party/s : Mr. Surendra Pd.Singh (APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Unchakagaon Police Station Case No.281 of 2013 registered under Section 394 of the Indian Penal Code besides Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The allegation of the informant, Naseem Akram, is that while he was going to the house of his uncle (Fufa) from his house, in the way, two persons on the point of pistol snatched his Pulsar motorcycle and moved towards Shampur market. At that time, the miscreants also made firing but he saved himself by jumping into the field. The informant raised alarm and, thereafter, his motorcycle was found in damaged condition in Shampur market where one person was also

found in an injured condition, who, on query, disclosed his name Raj Kumar Patel (petitioner) and the name of his associate as Chitu.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is said to be lying on earth in an injured condition at Shampur market but it would appear from the seizure list that one Wasi Ahmad produced the country made pistol before the police at Ashandapur Bazar where the alleged motorcycle is also said to be seized, which is itself suffice to show the false implication of the petitioner in the present case. It is also submitted that after being arrested by the police, the petitioner has been remained in three other cases and prior to that the petitioner had no criminal antecedent. The petitioner is in custody since 18.12.2013.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to 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 the Chief Judicial Magistrate, Gopalganj, in connection with Unchakagaon Police Station Case No.281 of 2013.

(Rajendra Kumar Mishra, J)

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