

Arising from the above, the Court is of the opinion that the State has failed to establish that the appellant is a person of bad character or that he is a person who is likely to commit a crime. The State has failed to establish that the appellant is a person who is likely to commit a crime. The State has failed to establish that the appellant is a person who is likely to commit a crime.

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.... Petitioner

## The State of Bihar

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For the Petitioner : Mr. Virendra Kumar, Advocate

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Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that while in the night of 28.07.2014 at 01.00 A.M., Station House Officer of the Police Station was on patrolling duty, he got information that some miscreants, who are 10 to 15 in number, have parked one pick-up van and a marshal vehicle and they were armed with weapons and had assembled for committing road dacoity. The petitioner along



with other miscreants were involved in surrounding goods loaded trucks and by administering intoxicants to the driver and cleaner of the truck, they used to take away trucks. The matter was immediately informed to the higher police official and the police party thereafter proceeded there where all the police vehicles reached from different directions for which there was a planning for conducting raid. On such information, Laxminiya Petrol Pump was surrounded and raided by the police personnel. On seeing the police, all the miscreants started fleeing away but out of them, eight were apprehended.

It has been submitted on behalf of the petitioner that from the possession of the petitioner, only one country made pistol and three cartridges were recovered. Further it has been submitted that as far as the offence under Sections 20 and 22 of the N.D.P.S. Act is concerned, the same does not attract against the petitioner. Further it has been submitted that the petitioner has got no criminal antecedent. Further it has been pointed out that other accused person namely, Shyam Kumar Yadav has been granted bail by a Bench of this Court.

On behalf of the State it has been submitted that the petitioner is named in the first information report.

Considering the aforesaid facts and circumstances of the

case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Muzaffarpur in connection with Baruraj P.S. Case No. 118 of 2014.

**(Sudhir Singh, J)**

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