

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40542 of 2018**

Arising Out of PS. Case No.-45 Year-2018 Thana- MUSAHARI District- Muzaffarpur

Raja Kumar, Son of Ram Binod Sah, resident of Village Berai, P.S. Hathauri,  
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

6      04-10-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Mushahari P.S. Case No. 45 of 2018 registered for the offence punishable under Sections 414, 489(B), 489(C), 506/34 of the Indian Penal Code and Section 25 [1-b] A/26 of Arms Act.

Informant is the S.I. of police, who in his self statement has stated that while he alongwith other police officials was on patrolling duty, found one white colour pickup van coming speedily and due to signal of police three persons came out from the said van and started fleeing away but one of them was chased and apprehended by the police and two



persons succeeded to flee away. Thereafter apprehended person took out his country made pistol and pointed the same on police and passengers with threatening of firing over them if he would not be released. Thereafter pistol of the accused was snatched anyhow by the informant then apprehended person started altercation with the passenger and also disclosed his name as Raja Kumar (petitioner). On search one country made pistol loaded with one live cartridge was recovered from the possession of petitioner and three notes of Rs. 500 and four notes of Rs. 100, all notes of 500 were found with the same number and it appeared to be forged notes and mobiles were also recovered from his possession. It is further alleged that when search was made in the pick up van 17 bags of Lahson, purse containing Aadhar card, photocopy of document of the vehicle were found with different engine and chassis number and it appeared that the aforesaid was stolen vehicle.

It has been submitted on behalf of the petitioner that nothing has been recovered from his possession and he has been arrested by the police only on suspicion. It has been further submitted that petitioner was going to village Dumari by his pulsar motorcycle to meet his sister-in-law and on the way the informant stopped him and checked the documents of the



motorcycle and then the petitioner was directed to become a seizure list witness but the petitioner was not ready to comply with the direction of the police, as no seizure was made in his presence. Petitioner is in custody since 03.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J.-10th, Muzaffarpur, in connection with Mushahari P.S. Case No. 45 of 2018.

**(S. Kumar, J)**

veena/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

