

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31459 of 2018

Arising Out of PS.Case No. -317 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

1. Randhir Bhagat @ Randhir Kumar, S/o Sunil Kumar @ Sunil Bhagat,
R/o Vill.- Bathana, P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

02 22-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Motipur P.S. Case No. 317 of 2017 registered under Section 413, 414 of the Indian Penal Code and Section 25(1-b)a/26 of the Arms Act.

One country made pistol and one live cartridge are said to have been recovered from the possession of Pankaj Singh and two motorcycles were recovered from the hut located on the rear side of his house. The said Pankaj Singh divulged that he had purchased one of the motorcycle and country made pistol and live cartridge from Randhir Bhagat @ Randhir Kumar and Indal Bhagat.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent. He has no concern with the



aforesaid occurrence. No incriminating article has been recovered from his conscious physical possession. He has been falsely implicated in this case by Pankaj Singh due to animosity. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of Pankaj Singh which has no evidentiary value in the eye of law. Though two more criminal cases have been lodged against the petitioner but he is on bail in the aforesaid cases. The petitioner has been languishing in custody since 27.02.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur in connection with Motipur P.S. Case No. 317 of 2017.

(Prakash Chandra Jaiswal, J)

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