

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51933 of 2018

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

=====

Gautam Kumar Son of Dinesh Mahto @ Dinesh Kumar Mahto resident of
Village- Gannipur, Bejha, P.S. Sakra, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s :

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2. 20-09-2018** Heard learned counsel for the petitioner. No
one appears on behalf of the State.

Petitioner, in the present case, is seeking regular bail in connection with Mushahari P.S. Case No. 45/2018 registered for the offence punishable under Sections 414, 489(B), 489(C), 506 and 34 of the Indian Penal Code and Section 25(1-b)A and 26 of the Arms Act.

Learned counsel for the petitioner submits that the First Information Report has been lodged on the self-statement of the Officer-Incharge of Mushahari Police Station. It is alleged that on seeing the patrolling party in course of checking of the vehicle the pick-up Van which was coming with a high speed stopped but then the driver and the other accused persons started fleeing away. On chase one person was caught who pointed pistol on public and police but anyhow his arm was snatched by the police officer. The other two persons fled away. It is alleged that from possession of the arrested person Raja Kumar one



country made loaded pistol was recovered.

Learned counsel submits that this petitioner was neither arrested on the spot nor anything incriminating has been recovered from his possession. He has been named in this case on the basis of confessional statement of the co-accused Raja Kumar. Apart from confession of the co-accused there is nothing to implicate this petitioner. It is also submitted that the petitioner has no criminal history.

In the given facts and circumstances of the case where the petitioner has not been arrested on the spot and he has got no criminal history, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. cum Sub-Judge – 6th, Muzaffarpur, in connection with Mushahari P.S. Case No. 45 of 2018, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

