

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35571 of 2018**

Arising Out of PS. Case No.-54 Year-2018 Thana- BRAHMPURA District- Muzaffarpur

RAJESH KUMAR RAI @ RAJESH KUMAR S/o Sikandar Prasad @  
Sikandar Prasad Yadav R/o Village Ahiyapur Bazar Samiti, P.S. - Ahiyapur,  
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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

**ORAL ORDER**

3      18-08-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner, who is in custody, seeks bail in  
connection with Brahampura P.S. Case No. 54 of 2018  
registered for the offence punishable under Sections 356, 379,  
411/34 of the Indian Penal Code and Section 25 [1-b] A/ 26/35  
of Arms Act.

Informant in his written complaint has stated that  
on 24.02.2018 at about 5.00 PM when he reached Bairiya Bus  
Stand, where four persons including driver were sitting in a  
tempo and were to proceed towards station and forcibly  
dragged him in the tempo bearing registration No. BR06PD-



6003 and when tempo reached Awadh Bihari Lane then all the accused persons took away Rs. 25,000/- from his pocket and ousted him from tempo. On raising alarm people gathered there chased and caught the tempo and in the meantime villagers caught two accused persons. Thereafter they disclosed their names as Rajesh Kumar Rai (petitioner) and Raj Kishore Sahani. On search, Rs. 7000/- was recovered from the pocket of Raj Kishore Sahani and Rs. 8000/- recovered from the Rajesh Kumar Rai (Petitioner) and other two co-accused persons fled away and from dickey of tempo one loaded country made pistol was recovered.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that similarly placed person has already been granted bail by this Hon'ble Court vide order dated 22.05.2018 passed in Cr. Misc. No. 30641 of 2018. Petitioner has no criminal antecedent and he is in custody since 25.02.2018.

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  
learned Chief Judicial Magistrate, Muzaffarpur, in connection  
with Brahampura P.S. Case No. 54 of 2018.

**(S. Kumar, J)**

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