

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16493 of 2019

Arising Out of PS. Case No.-344 Year-2018 Thana- SAKRA District- Muzaffarpur

Raju Kumar, son of Shila Paswan @ Bhola Paswan, resident of Village-Sarmastpur, Vishwakarma Chowk, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-03-2019 The petitioner seeks bail in anticipation of his arrest in connection with Sakra P.S. Case No. 344 of 2018 dated 03.08.2018 instituted for the offences under Sections 25(1-B) a, 26, 35 of the Arms Act.

The petitioner is alleged to have made attempts at concealing a firearm weapon in the house of the informant. Thereafter, an attempt was made by the petitioner to recover the same but with the arrival of the villagers, he ran away.

The learned counsel for the petitioner has submitted that the story narrated in the F.I.R is unbelievable. If the petitioner, an accused who was



chased by the Police or public for being in possession of firearm and in the process of running away the petitioner had kept the firearm in the house of the informant, the informant ought to have immediately reported the matter to the Police or the local people. There is no justification for the informant to wait for the petitioner to come back again to recover his weapon. The story, thus, does not inspire confidence. There is no recovery from the possession of the petitioner and it is only on the basis of the statement made by the informant in the F.I.R that the present case has been lodged against him.

Apart from the aforesaid facts, this Court notices that the petitioner does not have any criminal antecedents.

For the aforestated facts, the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties



of the like amount each to the satisfaction of learned
Additional Chief Judicial Magistrate, IVth, Muzaffarpur in
connection with Sakra P.S. Case No. 344 of 2018,
subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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