

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21743 of 2019

Arising Out of PS. Case No.-483 Year-2018 Thana- MINAPUR District- Muzaffarpur

NIRAJ KUMAR @ CHHOTU RAI @ CHHOTU son of Late Shankar Rai
Resident of Village- Nehalpur, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner	:	Mr.A.K.Thakur, Advocate, N. Kumar, Advocate
For the Opposite Party	:	Mr.Arun Kumar Pandey, Addl Public Prosecutor

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 21.11.2018 in connection with Minapur Police Station Case No. 483 of 2018 for the offence alleged under sections 147, 148, 149, 447, 341, 323, 307/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The prosecution case as lodged by the informant is that while he was sitting in his house the petitioner along with three others and two unknown persons started indiscriminate firing on which the informant hid himself and his son with the help of other persons caught hold of the petitioner while others managed to flee away. From the possession of the petitioner one



country made pistol and six live cartridges were recovered. Accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case on account of being on inimical terms with the informant for which petitioner's mother has already lodged Minapur Police Station Case No. 391 of 2018. It has been submitted that no injury has been caused to the informant side and charge sheet has already been submitted.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating that the petitioner does not bear clean antecedent and was caught red handed on the spot.

However, be that as it may, considering the nature of allegations, the materials on record the charge sheet has already been submitted, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Minapur Police Station Case No. 483 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, subject to the condition that one of the bailors would be a close relative of the petitioner having



sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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