

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27170 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- MURLIGANJ District- Madhepura

Raja Yadav @ Raja Kumar Yadav, aged about 21 years (Male) Son of Late Kaushlendra Yadav, Resident of Village-Pakilpar (Ward No.2), P.O. - Sahuriya, P.S.- Murliganj, District - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Garg, Advocate
For the Opposite Party : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 393 of the Indian Penal Code and Section s 25(1-b)a, 26 and 35 of the Arms Act registered in connection with Murliganj P.S. Case No. 53 of 2019.

3. It is submitted that the petitioner has been falsely implicated and the accusations in the FIR are extremely improbable in nature. It is highly unlikely that two accused persons including the petitioner would come armed with pistol and accost the informant but failed to snatch the money from him and instead the informant was able to snatch the pistol from the accused. It is further submitted that neither the informant has lost any money nor any injury has been caused to anyone. It is submitted that as a matter of fact, the parties are well known to each other and the petitioner has earlier given the loan of Rs. 50,000/- to the informant which was not being repaid. There is no recovery of any arms from the petitioner's possession. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or



surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S. Case No. 53 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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