

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33278 of 2019

Arising Out of PS. Case No.-150 Year-2019 Thana- FORBESGANJ District- Araria

Md. Raju Son of Md. Shakir @ Sakir Resident of Village- Haripur Tola Bhal Patti, Ward no. 1, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 341, 323, 504 and 506 of the Indian Penal Code and
Sections 25(1-b)a and 26 of the Arms Act.

Petitioner is said to have slated the informant
descending at his shop and pointed pistol on him but he was
apprehended along with the pistol by the informant and locals in
the course of chasing and said pistol was handed over to the
police by the informant.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took place.
Petitioner has been falsely implicated in this case due to



animosity. No incriminating article has been recovered from the conscious physical possession of the petitioner. Moreover aforesaid pistol was not recovered and seized from the possession of the petitioner by the police rather by the informant and no cartridge has been recovered from his possession. Hence aforesaid pistol without cartridge is of no use. Petitioner has no criminal antecedent and has been languishing in custody since 19.02.2019.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 150 of 2019.

(Prakash Chandra Jaiswal, J)

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