

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32574 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- BACHHWARA District- Begusarai

RAJ KUMAR @ RAJA KUMAR Son of Shivji Mahto Resident of Village -
Bharaul, P.S.- Bachhwara, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-05-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Bachhwara P.S. Case No.
19/2019, instituted for offence under Section(s) 504 and 506 of the
Indian Penal Code read with Sections 25(1-b)A and 26 of Arms
Act.

Learned counsel for the petitioner has submitted that in
the instant case arrest has been made by private person, therefore
no offence under Section 25(1-B)A and 26 of Arms Act is made
out.

It is alleged in the written report that on 24.01.2019,
informant heard sound of firing 4 -5 times behind his house. In the
next morning informant learnt that aforesaid misconduct has been
done by this petitioner. Thereafter informant along with his son
went to the house of petitioner and asked about the sound of



firing/cracker, then petitioner threatened them of dire consequences. It is further alleged that on 31.01.2019 at about 4:00 P.M. while informant was coming with grass for his cow then the petitioner came with pistol and made firing two rounds to terrorize him. The informant raised alarm then local people gathered there and apprehended the petitioner near Mango Orchard of Ramakant Ishwar. It is further alleged that one pistol and one empty cartridge was recovered from possession of petitioner. The petitioner along with firearm was handed over to the police.

Seizure list shows that the firearm has been handed over to the police by informant.

Petitioner is in custody since 01.02.2019.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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, Begusarai, in connection with Bachhwara P.S. Case No. 19/2019, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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