

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40719 of 2019**

Arising Out of PS. Case No.-261 Year-2019 Thana- HAJIPUR District- Vaishali

Rahul Kumar, son of Yogendra Ray @ Yogindra Rai, Resident of Village -  
Gardaniya Chauk, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma  
For the Opposite Party/s : Mr.Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      02-07-2019                      Heard learned counsel for the petitioner and learned  
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with  
Hajipur Town P.S. Case No.261 of 2019 for the offence punishable  
under Section 414 of the Indian Penal Code and 25 (1-b)a, 26, 35 of  
the Arms Act.

The allegation against the petitioner is that the police party  
during patrolling intercepted some persons. However, some persons  
started fleeing away after leaving the motorcycle but upon chase,  
three persons were arrested and they disclosed their name as Anarjit  
Kumar, Pappu Paswan and Gaurav Kumar. It is further alleged that  
from the possession of Anarjit Kumar, one country-made pistol has  
been recovered along with 3-4 motorcycles which were allegedly  
stolen. Arrested person Anarjit Kumar disclosed the name of  
persons who succeed in fleeing away including the petitioner.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Based upon the statement made by co-accused, he further submits that petitioner has got no criminal antecedent and from perusal of the First Information Report and seizure list, the seized articles do not belong to the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and upon perusal of the First Information Report and the seizure list and taking into consideration the fact that motorcycles do not belong to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioner, the petitioner shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

sanjeev/-

**(Anil Kumar Sinha, J)**

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

