

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45316 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- BARAUNI District- Begusarai

BIPIN KUMAR, Son of Narayan Mahto, Resident of Village- Simariya Ghat
Bind Tola, P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 25-07-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Barauni (Chakia) P.S. Case No.125 of 2019** instituted for the offence under Section(s) 394, 397, 307, 326/34 Indian Penal Code and Section 25(1-B)a, 26, 27, 28 and 35 of the Arms Act.

Counsel for the petitioner submits that Petitioner is in custody since 19.03.2019 having clean antecedents.

In the written report, it is alleged that altercation had taken place on NH 31 near Rajendra Bridge due to which there was road jam. Truck of the informant was also standing there. In the meantime, four persons came near truck of the informant and enquired about time. Thereafter, two miscreants caught hold hand of the informant and two miscreants pulled him down from



the truck. All the four miscreants have shown pistol and took away Rs.17000/- from the pocket and mobile phone. They also assaulted the informant. It is alleged that another truck driver came to save the informant then two miscreants fired on the driver causing injury to him. He tried to snatch pistol from the miscreant then one of the miscreant assaulted him with pistol. It is further alleged that another miscreant gave iron rod blow on his right leg. The police came on hearing sound of firing. All the four miscreants ran away on seeing the police party towards Rajendra Bridge. The police chased and apprehended three miscreants and brought them near the informant for identification. The informant identified all the three miscreants. The petitioner was one of the miscreant, who was apprehended by the police. Search was made of the petitioner and Rs.1200/- was recovered from possession of the petitioner.

In this manner, from the written report, it appears that there is no allegation of specific overt act against the petitioner. Petitioner has been arrested merely on suspicion. There is no recovery of any firearm from possession of the petitioner.

In the facts and circumstances of the case, 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 **Chief Judicial Magistrate, Begusarai**, in connection with **Barauni (Chakia) P.S. Case No.125 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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