

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55876 of 2019

Arising Out of PS. Case No.-215 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

Raju Pd. @ Raju Prasad @ Nannai Kumar @ Nanhai Kumar Son of Late
Ram Narayan Prasad @ Late Ram Nath Prasad Resident of Village- Chhota
Telpa, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 399, 402, 414 of the Indian Penal Code and Sections
25(1-b)a/26/35 of the Arms Act.

The prosecution case, in short, is that on the tip off, the
police raided the place of occurrence and apprehended four
accused persons. A mobile, a motorcycle and fire-arms are
alleged to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 12-06-2019. Charge sheet has



already been submitted. A mobile and a motorcycle are alleged to have been recovered from possession of the petitioner. The arms is alleged to have been recovered from co-accused Golu. So far recovery of motorcycle is concerned, the petitioner had no knowledge that the motorcycle in question, is a stolen property. The petitioner has been made accused in the present case due to mistake of fact. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 215 of 2019.

(Sudhir Singh, J)

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