

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79273 of 2018

Arising Out of PS. Case No.-538 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

Arjun Rai @ Arun Kumar Son of Rajendra Rai resident of village- Mehsi P.S.
Maniyari District-Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pradeep Kumar Sinha
For the Opposite Party/s : Mr.Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-01-2019 The petitioner seeks bail in anticipation of his arrest in connection with Sadar (Muzaffarpur) P.S. Case No. 538 of 2018 dated 16.07.2018 instituted for the offences under Sections 341, 504, 323, 506, 379, 387, 34 of the Indian Penal Code.

The informant has alleged that while he was returning home, on the orders of the petitioner and on being put in fear of being shot at, he was divested of money and belongings which he was carrying on his person. It has been specifically alleged by the informant that he identified the petitioner and heard him say that because of the protest raised by the informant while the petitioner visited his



village, this occurrence was committed.

The learned counsel for the petitioner has submitted that though the informant has claimed to have identified the petitioner but the fact of the matter is that petitioner himself has filed a case against the informant and his brother earlier vide Sadar (Muzaffarpur) P.S. Case No. 260 of 2018. The petitioner has clean antecedents whereas the informant is accused in several cases. It has been urged that if according to the informant, petitioner is a person of criminal antecedents and threatens the people of the locality, such statement ought to be reflected in the character of the petitioner. The petitioner has fair antecedents.

The money taken away from the possession of the informant has not yet been traced out. He further submits that the implication of the petitioner in the present case is only because of the dispute which lies elsewhere.

Regard being had to the aforesaid facts as also taking into account the clean antecedents, the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, is



directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Sadar (Muzaffarpur) P.S. Case No. 538 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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