

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73358 of 2019

Arising Out of PS. Case No.-324 Year-2019 Thana- LALGANJ District- Vaishali

RAJ KUMAR BHAGAT Son of Late Fakira Bhagat Resident of Village-
Jalalpur, P.S.-Lalganj, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 394 of the Indian Penal Code and 27 of the Arms Act.

Prosecution allegation, in short, is that the accused persons variously armed fired at the informant due to which he sustained injury and thereafter his jewellerys and motorcycle were snatched.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.9.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. A stolen motorcycle is alleged to have been



recovered from the possession of the son of this petitioner. Hence, he has been made accused in the present case. The petitioner had no knowledge that the motorcycle in question is stolen property. The petitioner has been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 A.C.J.M. -XIV, Vaishali in connection with Lalganj P.S. Case No. 324/19.

(Sudhir Singh, J)

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