

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12935 of 2020

Arising Out of PS. Case No.-199 Year-2019 Thana- RAJAPAKAR District- Vaishali

Anil Rai @ Anil Kumar, Son of Late Lalbabu Rai Resident of Village - Teliya
Banarasi Chowk, Police Station - Rajapakar, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar- Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 10-06-2020 Heard learned counsel appearing for the petitioner as well
as learned Additional Public Prosecutor appearing for the State
through video conferencing.

Petitioner seeks bail in connection with Rajapakar P. S.
Case No.199 of 2019 registered for the offences punishable under
Sections 399, 402 of the I.P.C. and Sections 25(1-b)a, 26, 35 of the
Arms Act.

Allegedly, petitioner and others had assembled to commit
loot but petitioner and two others were caught on the spot and one
countrymade pistol and live cartridges were recovered from the
possession of petitioner.

Learned counsel appearing for the petitioner submits that
he was arrested in Bidupur P. S. Case No.338 of 2019, which has
been lodged against unknown and subsequently, he was remanded in



several cases. He further submits that so far as the present case is concerned, neither petitioner was caught on the spot nor anything was recovered from his conscious possession and as a matter of fact, the police fabricated the present case. He further submits that moreover, two other co-accused, who are said to have been caught on the spot along with the petitioner have already been granted privilege of bail.

Learned Additional Public Prosecutor opposed the prayer pointing out that the petitioner does have criminal antecedent of seven cases and firearms is said to have been recovered from his conscious possession.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties and also taking note of this fact that petitioner is in jail custody since 20.08.2019, I direct the petitioner, above named, to 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 Additional Chief Judicial Magistrate, XIII, Vaishali at Hajipur in connection with Rajapakar P. S. Case No.199 of 2019.

(Hemant Kumar Srivastava, J)

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