

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23683 of 2020

Arising Out of PS. Case No.-221 Year-2020 Thana- HAJIPUR District- Vaishali

PAPPU KUMAR S/o Late Lal Babu Sahni Resident of Village- Nakhas, P.S.-
Town Hajipur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma, Adv.
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-09-2020 This case has been heard through video conferencing.

Petitioner is permitted to remove the defects as pointed out by the office within three weeks of normal functioning of the Court, failing which this case be placed before appropriate Bench.

Heard learned counsel for the petitioner and learned APP for the State.

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

Prosecution case is that police has caught two persons who were going on a motorcycle and they disclosed their name as Kundan Kumar who was driving the motorcycle and Pappu Kumar (petitioner) as a pillion rider. On search, from the



possession of co-accused, a live cartridge was recovered from his pocket. From the waist of the petitioner, a loaded country made pistol with a live cartridge were also recovered.

It has been submitted on behalf of the petitioner that there is recovery of one country made pistol with live cartridge and the petitioner is in custody since 06.03.2020. He submits that petitioner is innocent and has been falsely implicated in this case due to high handedness of the police. He further submits that petitioner and his mother use to sale fish by sitting on the road side and on the date of occurrence some police personals came and demanded two kilograms of fish but on demand of money, they abused the petitioner and his mother, as such the petitioner refused to give them the fish and accordingly in retaliation the police came to the shop and taken away to the police station and thereafter implicated him in the instant case. Thereafter, the petitioner's mother filed an informatory petition bearing no. 765 of 2020 before the learned Chief Judicial Magistrate, Vaishali at Hajipur, explaining all the high handedness of the police.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties



of the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Hajipur at Vaishali in connection with
Hajipur (Town) Police Station Case No. 221 of 2020.

(Anjani Kumar Sharan, J)

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