

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78195 of 2019

Arising Out of PS. Case No.-490 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Munna Kumar son of Late Naresh Rai Resident of Village-Adalpur, P.S.-
Hajipur Sadar, District-Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for anticipatory bail apprehending his arrest in a case registered for the offence under section 414 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the allegation in the FIR, on a motorcycle being stopped by the police, one of the persons on the motorcycle managed to escape while the driver was caught. It is stated that a loaded country made pistol was recovered from possession of the person who was caught and he disclosed the name of the person who escaped as that being the petitioner. It is further stated that the petitioner also was carrying an illegal arm.

It is submitted by learned counsel for the petitioner that the petitioner was neither caught at the place of occurrence



nor any incriminating article has been recovered from his possession. Besides the confession of a co-accused made before the police, there is no other material against him. The petitioner has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above stated facts and circumstances including the fact that the petitioner was neither arrested at the spot nor he has any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner, above named, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Hajipur Sadar P.S. Case no. 490 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

