

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.87199 of 2019**

Arising Out of PS. Case No.-276 Year-2019 Thana- LAHERIYASARAI District- Darbhanga

Shanu Kumar @ Bhanu Kumar, aged about 20 years, Male, Son of Akhilesh Mandal, Resident of Village / Muhalla - Pachiyari Tola, Gayghat, P.S.- Gayghat, District- Muzaffarpur ... Petitioner

Versus

The State of Bihar

... Opposite Party

**Appearance :**

For the Petitioner : Mr. Kedar Jha, Adv.

For the Opposite Party : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

2 18-01-2020

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Laheriasarai P.S. Case No. 276 of 2019, registered under Sections 399, 402 and 414 of the Indian Penal Code and 25(1-B)(a), 26 and 35 of the Arms Act.

The accusation is that in course of checking of vehicle 5 to 6 motorcycles were seen. The motorcycles riders on seeing the police vehicle started to flee away turning the motorcycles. On chase, four persons on two motorcycles were apprehended while other succeeded to flee away. The person, who was on Pulsar motorcycle, disclosed his name Shanu Kumar (petitioner). On search, he was found in possession of country made loaded pistol and one live cartridge. The persons, who was on the rear seat, disclosed his name Ganesh Kumar and also found in possession of one loaded country made pistol and two live cartridges. The other person sitting on other motorcycle disclosed their names Md. Ishteyaque Rohit Rai and both were found in possession of mobile sets.



Submission is that petitioner, who is said to be apprehended on spot with motorcycle, having country made pistol and live cartridges, is in custody since 24.07.2019. Further, submission is that after apprehending of the petitioner by the police, the petitioner has also been remanded in Danapur (Town) P.S. Case No. 171 of 2019, registered on 17.07.2019, under Sections 379, 382 and 34 of the Indian Penal Code and Danapur Sadar P.S. Case No. 309 of 2019, registered on 27.07.2019, under Section 302/34 of the Indian Penal Code and both the cases were lodged against unknown persons.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Laheriasarai P.S. Case No. 276 of 2019 to the satisfaction of the Chief Judicial Magistrate, Darbhanga, subject to the condition that out of two bailors, one must either be parent or close relative of the petitioner.

**(Rajendra Kumar Mishra, J)**

Shamshad/-

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