

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87293 of 2019

Arising Out of PS. Case No.-515 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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MRITUNJAY KUMAR, S/o Ram Anek Rai @ Dilip Rai, Resident of Village-
Mishrauliya @ Mishrauli, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 414, 401, of the Indian Penal Code and Sections 25 (1-b)a, 26, 35 of the Arms Act.

Prosecution case in short is that the informant SHO, Town P.S. has stated in self written statement that on a secret information he and others police personnel raided near Muzaffarpur railway station where he found two persons with a Pulsar Motorcycle and on suspicion he began to interrogate both of them who disclosed their name as Dilip Sahni and Amit Kumar and on search from possession of both accused persons



pistol with cartridge and ATM card and stolen motorcycle were recovered.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. The petitioner is innocent and has falsely been implicated in this case by the police only on the confessional statement of co-accused. There is no recovery from the conscious possession of the petitioner and the petitioner has got no criminal history.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur, in connection with Town P.S. Case No. 515 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and further conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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