

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45571 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- MANIYARI District- Muzaffarpur

TINKU KUMAR S/o Rakesh Rai @ Rakesh Kumar Resident of Village-
Jagdishpur, P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 392 and 411 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act .

As per the prosecution case, two accused persons are said to have placed the pistol on the temple of the informant and made an attempt to rob him of his mobile phone etc.. One of them ie the petitioner fell off the motorcycle and was caught at the place of occurrence and it is said that a loaded pistol was recovered from his possession.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case under a misunderstanding. No incriminating article has been recovered



from his possession. He is in custody since 2.4.2021 ie almost a year and has no criminal antecedent. He undertakes to cooperate in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations in the FIR, the petitioner having been caught at the place of occurrence along with a loaded country-made pistol, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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