

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50080 of 2016

Arising Out of PS.Case No. -411 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

Kundan Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Sri Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-11-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is languishing in custody since 30.07.2016 in a case registered for the offences punishable under Sections 25 (1-b)a/26/ 35 Arms Act and Section 53 (i) (ii) (iii) Bihar Excise (Amendment) Act, 2016.

The prosecution case is that the informant received confidential information to the effect that in village- Balgudar in Tiwari Tola where some boys are creating hindrance and when the police reached there they found that four boys found there in drunken condition. It is further alleged that on query they disclosed that their names as Raushan Kumar, Kanhaiya Kumar and Kundan Kumar. It is further alleged that during course of search, a country made pistol was also recovered from the

possession of the petitioner.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He further submits that no overt act has been committed by the petitioner and the petitioner is a student.

Learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Considering the period of custody and that no overt act has been committed by the petitioner, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S.Case No. 411 of 2016.

(Nilu Agrawal, J)

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