

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23476 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Kundan Kumar, son of Bhabhikhan Sah @ Bhabhikhan Prasad, resident of Village- Pokharbhinda, P.S.- Uchakagaon, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 328, 304, 120(B)/34 of the Indian Penal Code and Section 50A (b)(c) of the Bihar Excise (Amendment) Act, 2016 in connection with Gopalganj (Town) P.S. Case No. 348/2016.

The petitioner is not named in the F.I.R. Later on his name transpired in course of investigation.

It has been submitted on behalf of the petitioner that nothing has been recovered from possession of the petitioner and he is not named in the F.I.R. and that he has been remanded in this case from Gopalganj P.S. Case No. 347/2016, in which he is on



bail and further he is languishing in jail since 07.01.2017.

Learned Additional Public Prosecutor could not controvert the aforesaid submission.

Having heard both sides, in view of the facts that nothing has been recovered from possession of the petitioner, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj (Town) P.S. Case No. 348/2016, subject to the conditions that one of the bailors should be relative of the petitioner and another having sufficient immovable property within the jurisdiction of the court below with further condition that he will co-operate in disposal of the trial and will make himself available before the court and failure to appear on two consecutive dates without any appropriate reason will be liable for cancellation of his bail.

(Vinod Kumar Sinha, J.)

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