

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 55400 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -BARIYARPUR District- MUNGER

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Kundan Kumar, Son of Sri Bhuvneshwar Sharma, resident of Village-
Bahadurpur Bariyarpur, Police Station- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjay Kumar, Advocate

For the Opposite Party/s : Mr Manish Kumar 2, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 12-12-2017

Heard counsel for the petitioner, informant and the
State.

The petitioner is accused in Bariyarpur Police Station
Case No 4 of 2017 dated 06.01.2017 registered for the offences
punishable under Sections 302, 307/34 of Indian Penal Code and
Section 27 of Arms Act.

Counsel for the petitioner submits that the allegation
at best against the petitioner is of identifying the victim and that
the fatal shot is alleged to have been fired by some other persons.
It is submitted that as there is land dispute between the petitioner
and the informant, petitioner has been falsely implicated in this
case. It is further submitted that the petitioner has clean
antecedent and he is a Class III railway employee and is in



custody since 27.07.2017 and that investigation in the case has been completed. It is also submitted that there is no chance of tampering with the evidence.

Considering the aforesaid submission, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in Bariyarpur Police Station Case No 4 of 2017 dated 06.01.2017 subject to the following conditions :

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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