

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10900 of 2017

Arising Out of PS.Case No. -437 Year- 2014 Thana -MADHEPURA District- MADHEPURA

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1. KUNDAN KUMAR @ KUNDAN YADAV @ KUNDAN KUMAR
YADAV Son of Jholi Yadav resident of Village- Tulsibari, Police Station-
Madhepura, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Reebha Kumari

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 29-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 17.07.2015 in connection
with Madhepura P.S. Case No. 437 of 2014 registered under Sections
394 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner is innocent and has not committed any offence. In fact, the
petitioner has not been named in the F.I.R. and merely on the basis of
confessional statement of the co-accused, Shiv Narayan Das, name of
this petitioner has surfaced in this case. Nothing has been recovered
from the conscious possession of the petitioner nor the petitioner has
been put on T.I.P. till date. Moreover, co-accused, Shiv Narayan Das,
has already been granted bail by a co-ordinate Bench of this Court in
Cr. Misc. No. 15296 of 2016. The petitioner is rotting in custody for the



last eight months.

Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection with Madhepura P.S. Case No. 437 of 2014.

(Arvind Srivastava, J.)

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