

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26403 of 2017

Arising Out of PS.Case No. -270 Year- 2015 Thana -BAHERI District- DARBHANGA

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1. Kundan Singh Son of Ajay Kumar @ Ajay Kumar Singh, Resident of Village- Manik Chawk, Kamaldah Tola, P.S. Runnisaidpur, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-09-2017

Heard the parties.

The petitioner seeks regular bail in connection with Baheri P.S.Cae no.270 of 2015 , registered for offences punishable under Sections 302, 386, 387 and 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR against the petitioner is of demanding '*rangdari*' and also causing death of the uncle of the informant.

Submission of the learned counsel for the petitioner is that he is not named in the FIR but it has come that he was also present near the place of occurrence and except that there is nothing against the petitioner. The petitioner is accused in two other cases also but he is on bail in those cases. It has also been



submitted that the other co-accused person have already been granted bail by this Hon'ble Court vide order dated 18.10.2016 passed in Cr. Misc. No.44993 of 2016, dated 29.6.2016 passed in Cr. Misc. No.19244 of 2016, dated 6.9.2016 passed in Cr. Misc. No.29644 of 2016, dated 10.3.2017 passed in Cr. Misc. No.7325 of 2017, dated 22.3.2017 passed in Cr. Misc. No.12938 of 2017.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the impugned order shows that he was available near the place of occurrence in case of any eventuality with the other co-accused persons, as such he does not deserve bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Darbhanga in connection with S. Tr. No.453 of 2016 (arising out of Baheri P.S.Case No.270 of 2015).

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in disposal of trial and



make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

(iv) The petitioner shall appear before the concerned police station of his area once in every month till conclusion of the trial.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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