

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39024 of 2017

Arising Out of PS.Case No. -174 Year- 2017 Thana -JAMUI District- JAMUI

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Kundan Kumar @ Kundan Mahto, Son of Late Daso Mahto, Resident of
Village- Santhu Police Station and District- Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sri Amrendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 147, 148,
149, 341, 323, 325, 337, 338, 353, 504, 506, 427, 307 of the
Indian Penal Code and 27 of the Arms Act.

The case has been instituted alleging obstruction to
the police in discharging of their official duties and of assaulting
them when they had gone to rescue erstwhile 'Sarpanch' who was
allegedly confined by the mob in which the petitioner was a
member.

Counsel for the petitioner submits that he has been
implicated in this case along with 46 other named persons and 350
unknown persons. No specific allegation has been made against



the instant petitioner. He further submits that though he is accused in two other cases details of which he has disclosed in para 3 of the petition but in the said cases, he is on bail. Petitioner is in jail custody since 05.06.2017.

In the facts and circumstances of the case, prayer for bail of the petitioner 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, Jamui in Jamui P.S. Case No. 174 of 2017 subject to the 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 bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.



(iii) 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)

Prakash/-

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