

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41595 of 2018

Arising Out of PS. Case No. -500 Year- 2017 Thana -GARKHA District- SARAN

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Kundan Kumar, Son of Radhey Shyam Prasad, resident of Village- Parsa Mathura, P.S.- Parsa, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)/a/26/35 of the Arms Act. and Section 30(a) Bihar Prohibition and Excise Act, 2016.

Petitioner along with other accused persons are said to have congregated for making plan to commit some offence and petitioner was apprehended while other accused persons managed to escape. From the possession of the petitioner one loaded country made pistol, one live cartridge and 750 ml of liquor are said to have been recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious



physical possession of the petitioner. No such occurrence as alleged ever took place. He has no concern with the seized articles. He has been falsely implicated in the case at the instance of his enemies by planting aforesaid recovery from his possession. The petitioner has been languishing in custody since 23.12.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.- 6th, Saran at Chapra in connection with Garkha P.S. Case No. 500 of 2017.

(Prakash Chandra Jaiswal, J)

Trivedi/Sanjeev

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