

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34700 of 2018

Arising Out of PS. Case No.-339 Year-2017 Thana- BALIA District- Begusarai

Janardan Kunwar @ Lalo Kunwar, Son of Late Ramjee Kunwar, Resident of
Gokhale Nagar, Bishunpur, P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Mr. Sri Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 18-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Balia P.S. Case No. 339 of 2017 registered for
the offence punishable under Sections 341, 323, 376, 511,
307/34 of the Indian Penal Code and Section 27 of Arms Act.

Informant in her written complaint has stated that
on 16.12.2017 when she had gone to attend call of nature then
in the way the FIR named accused persons including petitioner
surrounded her and Krishna Mohan Mishra and Jivesh Kunwar
named in the FIR tried to commit rape upon her and when she
raised alarm his maternal uncle Pinkesh Kumar came there and
took her away and thereafter four accused as named in the FIR



including petitioner entered her house and Krishna Mohan Mishra took out revolver from his possession and fired upon his maternal uncle Pinkesh Kumar and thereafter all the accused persons fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. He is 85 years old and has been implicated in this case due to land dispute. There is no allegation of any overt act against him. He has no criminal antecedent and is in custody since 17.04.2018. Charge sheet has been submitted.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Balia P.S. Case No. 339 of 2017 subject to the following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the



trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

