

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13972 of 2019

Arising Out of PS. Case No.-447 Year-2018 Thana- KATIHAR District- Katihar

=====

Kundan Mishra @ Kundan Kumar Mishra, aged about 29 years, (Male), S/o
Raj Nath Mishra, resident of Mohalla-Barmasiya, P.S. Katihar(S), dist-
Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar (APP)

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-03-2019 Let the Defect No. 7(1) as pointed out by the office
be ignored for the present.

Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Katihar Nagar Sahayak P.S. Case No. 447 of
2018 registered for the offences punishable under Sections 307,
326 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that on 11.07.2018 while he
was going towards Senior Institute, in the way two miscreants
arrived and fired upon him thereafter, miscreants fled away from
there.

It has been submitted on behalf of the petitioner



that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the FIR. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 30.01.2019 passed in Cr. Misc. No. 3740 of 2019. Petitioner is in custody since 24.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Katihar, in connection with Katihar Nagar Sahayak P.S. Case No. 447 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

Rajiv/-

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

