

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12938 of 2019

Arising Out of PS. Case No.-846 Year-2018 Thana- HAJIPUR District- Vaishali

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Kunal Kumar, Son of Kirshnadeo Rai, Resident of Village-Babhantoli, P.S.-
Goraul, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-03-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 26.11.2018 in a case registered for the offences punishable under Sections 399 and 402 of the IPC and under Sections 25(1-B)a, 26 and 35 of the Arms Act.

The prosecution case, as per the self statement of Omprakash, Inspector-cum-S.H.O., Town P.S. Hajipur, is to the effect that on 25.11.2018, the informant received a secret



information that a veteran criminal, Manish Rai along with his other associates, are preparing to commit some serious offence. Consequently, a raid was laid and four accused persons were apprehended, who disclosed their names as co-accused Manish Rai, co-accused Lakki @ Gyan Ranjan, co-accused Shahbaz Ali @ Munna and the petitioner, Kunal Kumar. It is further alleged that from the conscious physical possession of the petitioner, one live cartridge and a mobile phone were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has maliciously been framed in the present case only on the basis of confessional statement of the apprehended co-accused, Manish Rai. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by the learned APP for the State that one live cartridge has been recovered from the conscious physical possession of the petitioner.

Considering the nature of recovery and period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of like amount each to the satisfaction of learned
C.J.M., Vaishali at Hajipur in connection with **Hajipur Town**
P.S. Case No. 846 of 2018.

(Dinesh Kumar Singh, J)

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