

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13298 of 2019

Arising Out of PS. Case No.-486 Year-2018 Thana- BARAUNI District- Begusarai

Kanhaiya Kumar, Son Of Sita Ram Singh, Resident Of Village- Bihat,
Tola- Jagir, P.S.- Barauni, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tarun, Advocate Mr. Saket Gupta, Advocate
For the Opposite Party/s	:	Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 19-04-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 10.12.2018 in connection with Barauni P.S. Case No.486 of 2018, registered for the offence under Sections 399, 402 and 120(B) of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act.

Learned counsel for the petitioner submitted that the FIR in the present case was registered on the basis of the statement of Police Inspector of FCI, stating that some persons who had assembled at Kunal Line Hotel at N.H.-31 were planning some offence and on the basis of such information the said hotel was raided and 4 persons were arrested, whereas the petitioner is said to be amongst those persons who had run



away. It is further submitted that actually the petitioner has no role to play and his name has been subsequently inserted on the basis of the conjectures and surmises as the petitioner is the owner of the Kunal Line Hotel. It is further submitted that the petitioner is having some criminal antecedent but the petitioner undertake to cooperate in the investigation and also to make himself available as and when required during the trial. He is further submitted that one of the co-accused person namely, Manish Kumar who was arrested from the place of occurrence has since been extended the privilege of bail in Cr.Misc. No.23894 of 2019 vide order dated 15.04.2019.

Considering the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Barauni P.S. Case No.486 of 2018, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates



without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

Amjad/-

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