

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30997 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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KUNDAN KUMAR Son of Jaleshwar Chaudhary Resident of Village-
Kishunbagh, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 17-08-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 398, 402, 120B of the Indian Penal Code and Section 25(1-B)(a), 26 and 35 of the Arms Act.

Allegation against the petitioner is of recovery of one loaded country made pistol from his possession.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 20.05.2019 in Criminal Miscellaneous No. 32946 of 2019. Petitioner has got no criminal antecedent and is in custody since 10.01.2019.



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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Bettiah Town P.S. Case No. 29 of 2019**, with 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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)

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