

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40991 of 2019

Arising Out of PS. Case No.-231 Year-2018 Thana- GANDHIMAIDAN District- Patna

=====

KUNDAN KUMAR @ KUNDAN @ PARWAL @ PARWAR S/o Shyam
Nath Gupta @ Shyam Nath Prasad Resident of Road No 23, Rajeev Nagar,
P.S.- Rajeev Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-07-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 14.02.2019 in Criminal Miscellaneous No. 6594 of 2019 with liberty to renew his prayer for bail after completing one year of Jail custody.

Petitioner seeks bail in Gandhi Maidan P.S. Case No. 231 of 2018 corresponding to Special Case No. 60 of 2018 registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-B)A, 26 and 35 of the Arms Act and Section 27 of the NDPS Act.

Allegation is of recovery of one country made pistol,



one live cartridge and one puriya of Ganja from the possession of the petitioner.

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 25.04.2019 passed in Criminal Miscellaneous No. 11742 of 2019. It has been submitted on behalf of the petitioner that petitioner is in custody since 10.06.2018 and he has completed one year of Jail custody.

Considering the aforesaid facts and circumstances of the case and period of custody, 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 **Gandhi Maidan P.S. Case No. 231 of 2018 corresponding to Special Case No. 60 of 2018**, 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)

ranjan/-

U			
---	--	--	--

