

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68095 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- BACHHWARA RAIL P.S. District-
Begusarai

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KUNDAN SAH @ KUNDAN KUMAR, aged about 25 years, Son of Malhu Sah @ Ramdeo Sah @ Ramdev Sah Resident of Village - Azad Nagar, P.S.- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar, Adv.
For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that investigation of the case is already completed and there is no eyewitness of the occurrence. Petitioner is in custody since 28.06.2019.

Learned counsel for the petitioner further submits that the co-accused Manish Kumar has been granted bail by the Co-ordinate Bench of this Hon'ble Court vide Cr. Misc. No. 52844/2019 on 29.08.2019. The name of the petitioner has come on the basis of confessional statement of arrested accused Manish Kumar and Dharmendra Kumar. The petitioner has got no criminal antecedent and no any articles has been recovered from the conscious possession of the petitioner.

Considering the aforesaid facts and circumstances, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Barauni, in connection with Bachhwara Rail P.S. Case No. 08 of 2019, subject to the 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 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.

(Anjani Kumar Sharan, J)

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