

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66676 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- HAJIPUR District- Vaishali

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KUNDAN KUMAR S/o Mahesh Paswan R/o village- Dighi Kala, East, P.S.-
Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 394, 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Prosecution case as lodged by the informant is that his
son, Angad Kumar and nephew, Anil Kumar resides in a rented
house of one Mukesh Kumar Singh @ Balli Singh, teach in
Women's College, Hajipur and run a coaching centre in the
name of Ideal Chemistry Coaching. On the occasion of Makar
Sankranti, the informant's son and his nephew had gone to
Saharsa and on 15.01.2019 at 11PM in the night, they departed
for Hajipur by Janhit Express. At about 7AM in the morning
informant came to know that his son and nephew have been



shot. On this information, informant went to Hajipur where he knew that his son and nephew were shot in Madai Road, nearby Aadarsh Hospital and Aakash Ganga TVS Showroom. The miscreants were on one motorcycle that was without any number plate. Miscreants surrounded them and started to loot but on protest they fired two bullets by fire arms. Angad Kumar and Anil Kumar sustained bullet injuries due to which Angad Kumar became unconscious and Anil Kumar reached to his rented house situated to Yosufpur, Madai Road. Thereafter, police have been informed about the incidence.

Learned counsel for the petitioner submits that petitioner has committed no offence. He submits that petitioner is not named in the F.I.R., no TI Parade has been done yet and there is no any article recovery from the possession of the petitioner. He further submits that petitioner is in judicial custody since 20.06.2019.

In the facts and circumstances of the case, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town Police Station Case No. 50 of 2019, subject to the



conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) 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.

(III) 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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