

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70507 of 2019**

Arising Out of PS. Case No.-1123 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

KUNDAN KUMAR, aged about 18 years (Male), Son of Dilip Kumar Jha,  
Resident of Village - Ukhra, P.S.- Nanpur, District - Sitamadhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Ravi Ranjan, Advocate.

For the Opposite Party : Mr.Suresh Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-11-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 324, 506, 290/34 of the IPC, 37(b), 30(c) of the Bihar Prohibition and Excise Act, 2016 and 25(1-b)a and 26 of the Arms Act.

The prosecution story, in brief, is that on 14.09.2019 at around 5.30 P.M., the informant alongwith Manjay Kumar and Bittu Kumar was taking tea and in the meantime, petitioner and his two associates came near the Tea Stall and pointed pistol on him. Out of whom, one person inflicted knife blow upon him causing cut injury in his little finger in his right hand. On hulla, petitioner was caught with Magazine of pistol loaded with two live cartridges and a bad smell was coming out from his mouth.



Thereafter, Ahiyapur police was informed and petitioner was handed over to the police with pistol, Magazine loaded with two live cartridges.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 15.09.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Magazine of pistol alongwith two live cartridges is alleged to have been recovered from possession of the petitioner. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1123 of 2019.

**(Sudhir Singh, J)**

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