

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78579 of 2019

Arising Out of PS. Case No.-552 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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KUNAL KUMAR, aged about 21 years (Male), Son of Arvind Mishra,
Resident of Village - Madhukar Chhapara, P.S.- Kanti, Dist.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Mahendra Thakur, Advocate.

For the Opposite Party : Mr.Kanhaiya Kishore(App100)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Section 397 of the IPC.

The prosecution story, in brief, is that on 26.07.2019
at 4.30 P.M. while the informant alongwith other staff was
working in his office, three miscreants armed with pistol entered
into the office and took the Mobile of the informant and other
customers. One of the miscreants took out the Mobile and two
of them took bag and keys of the *Almirah* and looted Rs.
26,00,000/- from the *Almirah* and one of the miscreants
assaulted with pistol on the head of the informant. They fled



away with cash of Rs. 26,00,000/-, 20-25 Mobile phones of parcel, D.V.R. of C.C.T.V. Camera, Motorcycle and also Rs. 30,000/- kept in the pocket of the informant and his staff.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 21.09.2019. There is no allegation of tampering with the witnesses alleged against the petitioner. Charge sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on his self confession made in another case. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has not been put on T.I. Parade. No stolen property is alleged to have been recovered from possession of the petitioner. Rs. 20,000/- which is alleged to have been recovered, belongs to the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

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 S.D.J.M.



West, Muzaffarpur, in connection with Kanti P.S. Case No. 552
of 2019.

(Sudhir Singh, J)

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