

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9842 of 2020

Arising Out of PS. Case No.-190 Year-2019 Thana- KHODAWANDPUR District- Begusarai

KUNDAN KUMAR @ KUNDAN SAHNI S/o Om Prakash Sahni Resident
of Village- Sanghai Tol Khausi, P.S.- Gadpura, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 399, 402,
414, 465 & 463/34 of the Indian Penal Code and Section 25 (1-
b)a, 26 & 35 of the Arms Act.

On a tip-off when the informant was patrolling, he
tried to stop three motorcycle borne criminals who were coming
towards Emamba Chowk but after seeing the police party they
tried to escape. Upon chase being made, two persons, namely,
Angad Yadav and Sandeep Kumar were apprehended and on
search two country made pistols and seven live cartridges were
recovered from their possession. The apprehended accused



Angad Yadav named the petitioner as one of his accomplice.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. Petitioner was not apprehended on the spot. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has been falsely implicated in this case on the confessional statement of apprehended accused Angad Yadav which has no evidentiary value in the eye of law. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, POSCO Act, Begusarai in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 190 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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