

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24696 of 2020

Arising Out of PS. Case No.-568 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

KUNDAN @ BIKKI @ VIKKI @ KUNAL S/o Sanjay Rai Resident of
Village- Simariya Ghat, Bind Toli, P.S.-Barauni (Chakia O.P.), District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-09-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and learned APP for the State .

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.



The petitioner seeks bail in Begusarai (Town) P.S. Case no. 568 of 2019 instituted for the offence under Section(s) 25(1-B)a, 26, 31 and 35 of the Arms Act.

One country made pistol and seven live cartridges is allegedly recovered from possession of this petitioner along with a mobile set. It is alleged that petitioner and one co-accused was found at the house of Munna Bhagat where the police party had gone acting on a tip off that criminals were planing an offence. Other arms have also been recovered from the room.

Petitioner's counsel submits that petitioner has falsely been implicated in the instant case. Members of the raiding party were made as witness to the seizure which has been done contrary to section 100 Cr. P.C.

Petitioner is in custody since 25.09.2019 and is on bail in other four cases pending against him since before as per details contained in paragraph no.3.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Begusarai in



connection with Begusarai (Town) P.S. Case no. 568 of 2019,
subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled

(Madhuresh Prasad, J)

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