

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24827 of 2020

Arising Out of PS. Case No.-600 Year-2019 Thana- BANKA District- Banka

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KUNDAN KUMAR YADAV @ KUNDAN KUMAR @ KUNDAN YADAV
S/o Sago Yadav Resident of Village-Kathchatar, P.S.-Rajoun, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-09-2020 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 16.01.2020 passed in Criminal Miscellaneous No. 2239 of 2020 with liberty to renew his prayer for bail after completing one year of Jail custody.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 399 and 402 of the IPC and section 25(1-b)A, 26/35 of the Arms Act.

Allegation is of recovery of one loaded country made pistol and one Knife from the possession of petitioner.

It has been submitted on behalf of the petitioner that petitioner is in custody since 27.08.2019 and he has completed



more than one year of Jail custody and has been sufficiently penalized for his deeds. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 23.01.2020 in Criminal Miscellaneous No. 4163 of 2020, 06.02.2020 in Criminal Miscellaneous No. 7022 of 2020 and 18.03.2020 in Criminal Miscellaneous No. 85238 of 2019.

Considering the aforesaid facts and circumstances of the case and period of custody, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Banka (Barahat) P.S. Case No. 600 of 2019**, with following conditions:-

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

(2) 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

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