

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29789 of 2020

Arising Out of PS. Case No.-302 Year-2019 Thana- DAUDNAGAR District- Aurangabad

Kundan Kumar aged about 26 years Son of Upendra Singh Resident of Village- Umarchak, Ward No.26, Police Station- Daudnagar, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-01-2021 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 395/397 of the Indian Penal Code.

As per the prosecution case, some unknown miscreants looted sum of Rs.20 lacs from the informant and also caused him gun shot injury.

Learned counsel for the petitioner submits that the FIR is against unknown and petitioner's name has come in the case on the basis of confessional statement of co-accused Nitish Kumar @ Nitish Yadav though he has not assigned any role to the petitioner and has simply stated that the petitioner was seen standing with the co-accused a day prior to the occurrence.



Petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned counsel for the State opposes the prayer for bail submitting that during course of investigation petitioner's implication has been found on the basis of call details record of the petitioner. Anticipatory bail petition of other similarly situated co-accused person has already been refused by this Court vide order dated 13.10.2020, passed in Cr.Mis.No. 14307/2020.

In view of nature of allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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