

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33965 of 2020

Arising Out of PS. Case No.-157 Year-2017 Thana- KALYANPUR District- East Champaran

KUNAL SINGH S/o Asharfi Singh R/o village- Banjari, Kudia, P.S.- Pipra
Kothi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-01-2021 As prayed for, let the learned counsel for the
petitioner remove the defect(s), as pointed out by the office vide
its notes dated 09.12.2020, within four weeks from today.

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

The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 157 of 2017, registered under Sections
353, 307, 429, 414 and 216 of the Indian Penal Code and
Section 25(1-b)a, 26, 27 and 35 of the Arms Act.

The accusation is that on receiving secret
information about visit of notorious criminal Kunal Singh
(Petitioner) at the house of Dharmendra Singh in village-Hira
Chhapra and apprehension of attack at Kunal Singh group, the
informant and other Police personnel reached at village-Hira



Chhapra then heard sound of indiscriminate firing. At that time, house of Dharmendra Singh was surrounded, but, in the meantime, some miscreants making firing started fleeing taking advantage of darkness. In the light of electric bulb, a buffalo was seen dead sustaining firearm injury and one person was also seen at the bank of river in front of house of Dharmendra Singh in screaming condition, who was apprehended with pistol from which smell of firing smoke was coming. On query, he disclosed his name Himanshu Kumar Singh and he also disclosed that he along with Kunal Singh (Petitioner), Rajesh Singh and Ram Singh had come, boarding on motorcycle, at the house of Dharmendra Singh for dinner, but they managed to flee away.

Learned counsel appearing for the petitioner submits petitioner was not apprehended on the spot. Further submission is that, in fact, petitioner is accused in twelve cases, out of which, in nine cases, he is on bail due to that reasons, the Police implicated the petitioner in this case showing his name in the confessional statements of co-accused Himanshu Kumar Singh and Dharmendra Singh, who were also apprehended at his house. Further submission is that Abhishek Kumar @ Golu Dubey, whose name has also come in the confessional statement



of co-accused, has already allowed privilege of bail on 13.02.2019 vide Criminal Miscellaneous No. 7847 of 2019 by a co-ordinate Bench of this Court. The petitioner is in custody since 10.01.2018.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, East Champaran at Motihari in connection with Kalyanpur P.S. Case No. 157 of 2017. One of the sureties must be parents/close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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