

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5549 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- KHARHAGPUR District- Munger

KANHAIYA KUMAR Son of Ramchandrar Mandal Resident of Village -
Karanpur, P.s.- Lakshmipur, Distt.- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar
For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the stamp reporter within

one month.

Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in

connection with Kharagpur P.S. Case No. 266 of 2021,

registered for the offences punishable under Section 393, 34 of

the Indian Penal Code and 25 (1-b)b/ 26 (i) (ii)/35 of the Arms

Act.

As per allegation, one person pointed pistol on the

cashier of petrol pump and one employee of the petrol pump

also assisted him. The petitioner was the person who pointed the



pistol to the person present on the cash counter. From the possession of the petitioner one country made loaded pistol, one live cartridge, one mobile and chilly powder were recovered.

Learned counsel for the petitioner has submitted that co-accused Abhimanyu Kumar to whom there was allegation of assisting the petitioner has been granted bail. The petitioner is under custody since 28.08.2021.

Considering the above-mentioned facts and circumstances as well as the fact that petitioner is a person of clean antecedents and he is under custody since 28.08.2021, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri Bimlesh Kumar, learned Judicial Magistrate-1st Class Munger or his successor in office/court concerned in connection with Kharagpur P.S. Case No. 266 of 2021, subject to the following conditions:-

(i) The learned court below shall accept the bail bond only after verifying the criminal antecedents of the petitioner.

(ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.



(iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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