

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17740 of 2022

Arising Out of PS. Case No.-402 Year-2019 Thana- SONEPUR District- Saran

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KUNAL KUMAR @ KUNDAN KUMAR SON OF PRADIP RAY R/O
VILLAGE- SEMARA, P.S.- SONEPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under section 414 of the Indian Penal Code and section 25(1-b)A, 26 of Arms Act.

As per the prosecution case, it is alleged that a loaded pistol and a motorcycle were recovered from the co-accused and the petitioner fled away from there.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in



this case. Learned counsel for the petitioner has further submitted that there is no allegation of tampering of the witnesses against the petitioner. Chargesheet has already been submitted. The name of the petitioner has sprung up in the confessional statement of co-accused, Raja Kumar. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is also accused in 12 criminal cases which are of similar nature as stated at para 3 of the bail petition. Co-accused Raja Kumar has already been granted bail vide order dated 17.10.2019 passed in Cr. Misc. No. 64215 of 2019 by the Coordinate Bench of this Court. The petitioner is in custody since 16.12.2020.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Sonapur P.S. Case No. 402 of 2019, with following conditions :-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled by the concerned Court.

2. One of the bailors must be a close relative of the petitioner.

3. If the petitioner is found involved in other criminal cases, his bail bond is liable to be cancelled by the concerned Court.

4. The petitioner is directed to mark his attendance before the Officer-In-Charge of the concerned police station at 10.00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of bail will stand cancelled by the concerned Court.

The application stands allowed.

(Chandra Prakash Singh, J)

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