

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36644 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- GHOSWARI District- Patna

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KUNDAN KUMAR Son of Jhapo Sao Resident of Village - Ram Nagar, P.S.-
Ghoswari, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar @ S.K., Adv.
For the State	:	Mr. Md. Iftekhar Mahmood, APP
For the Informant	:	Mr. Chandra Sen Prasad Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-01-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 384, 385, 326, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated that accused persons fired on his father. Although the first shot missed the second shot struck his father on the left side of his armpit. Thereafter it is stated that the informant saw the three accused persons including the petitioner herein and Ranjit Sao running away with pistol in their hand. It is further stated that earlier the son of the informant had been kidnapped by Ramniwas Kumar as also his accomplices.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature. The informant is not an eye witness to the occurrence. The case of the petitioner stands on a similar footing to that of Ranjit Sao who has been enlarged on bail vide order dated 23.8.2021 passed in Cr. Misc. no.24393 of 2021. The petitioner has no criminal antecedent, is not an accused in the case of kidnapping referred in the F.I.R. and is in custody since 26.12.2020.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for over 1 year and grant of bail to the similarly situated co-accused Ranjit Sao, the Court directs the petitioner to be enlarged on bail in connection with Ghoswari P.S. Case no.154 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Barh at Patna.

(Partha Sarthy, J)

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