

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30991 of 2022

Arising Out of PS. Case No.-78 Year-2021 Thana- MAHNAR District- Vaishali

=====

Kunal Kumar Son Of Arun Ray, R/O- Vill- Chakaushan, P.S.- Bidupur , Dist.-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-12-2022 Let the defect, if any, be removed within two weeks

from today.

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

The petitioner seeks regular bail in connection with
Mahnar P.S. Case No. 78 of 2021 lodged under Sections 307/34
of the I.P.C. read with Section 27 of Arms Act.

As per prosecution, the present criminal case has been
lodged against 2 unknown criminals against whom allegation of
firing by which the informant injured.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R.. He further submits that the
name of the petitioner has come by virtue of the confessional
statement of co-accused who was subsequently arrested by the
investigating officer in this case. He further submits that there
are 2 criminal cases pending against the petitioner in which he is
on bail in one case and in another case he is persuading for bail.

He further submits that petitioner is in custody since 17.09.2021 by virtue of remand. Upon specific query counsel submits that charge has not been framed against the petitioner in this case.

Learned counsel for the State opposes the prayer for bail and submits that the name of the petitioner has figured in this case by confessional statement and he has criminal antecedent. He may not be granted bail at present.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present. Accordingly the bail petition of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and Trial Court is directed to release the petitioner on bail imposing its own conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

ravishankar/-

U		T	
---	--	---	--