

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30807 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- NALANDA District- Nalanda

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Kundan Kumar @ Karu Singh S/o Late Mahesh Singh Resident of Village/
Mohala- Madhopur, P.S.- Silao, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offences punishable under Section 414 of the Indian Penal Code.

As per prosecution case, in brief, is that on 03.01.2022 the informant, an A.S.I. got an information that at Mirja Bigha village near Primary School a Swift car is standing there and when they reached at the spot they saw that villagers were assembled near Swift car and having caught hold a person. The informant asked to the villagers about the person and the villagers told that two persons came near the said car and tried



to start to carry away. The apprehended person and the said car was handed over to the police, thereafter the police asked him who disclosed his name Kundan Kumar @ Karu Singh and also disclosed the name of other person Navin Singh, who was fled away from the spot.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that the owner of the vehicle has filed a Bypass Case No. 06 of 2022 against co-accused Navin Singh and Navin Singh was the driver of the said vehicle in question and the petitioner was apprehended with the vehicle in question only on the basis of suspicion. He further submits that the petitioner has no concern at all with the alleged occurrence and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.01.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 learned Court below where the case is pending in connection with Nalanda P.S. Case No. 01 of 2022, with the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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