

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29769 of 2022

Arising Out of PS. Case No.-84 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

Kundan Kumar Son Of Raghuvansh Rai R/O Village- Jalalpur, P.S.- Patoree,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Prakash, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2022 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, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 325,307,504,342 of the Indian Penal Code.

Allegation is that the petitioner alongwith other co-accused have hit the brother of the informant with Car as a result whereof the victim has injured badly.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the



allegation as alleged in the FIR is false and concocted. Further submits that the accused persons dashed the brother of the informant but in fact it might be an accident which was not intentional. Further submits that now the case has been compromised between the parties and they do not want to contest the case and with regard to the compromise a compromise petition has been filed on 12.05.2018 in the learned court below. Petitioner is in custody since 28.04.2022.

Learned counsel for the informant has opposed the prayer for bail of the petitioner and fairly submits that he has filed the compromise petition and does not want to pursue the matter.

Considering the fact and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (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 Vidyapati Nagar P.S.Case No.84 of 2019 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/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, 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 antecedent, 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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