

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48471 of 2021

Arising Out of PS. Case No.-502 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

KUNAL KUMAR S/o ARUN RAI R/o VILLAGE-CHAKAUSHAN
(KARGIL CHOWK), P.S-BIDUPUR, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Sadar PS case no. 502 of 2021 instituted for the offences punishable under Sections 399, 402, 414 of Indian Penal Code & 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding the police having received secret information that some miscreants had assembled at the place of occurrence and were preparing to commit some big crime, whereupon the police force had reached the said place of occurrence and had surrounded the miscreants and then, four miscreants were arrested. As far as the petitioner is concerned, one live cartridge is stated to have been recovered from his possession.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 27.05.2021. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case merely on suspicion.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sadar PS case no. 502 of 2021.

(Mohit Kumar Shah, J)

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