

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55071 of 2021**

Arising Out of PS. Case No.-367 Year-2019 Thana- BIDUPUR District- Vaishali

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KUNAL KUMAR S/o Pradip Ray Resident of Village- Semara, P.S.-  
Sonepur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh  
For the Opposite Party/s : Mr.Ramchandra Sahni

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      24-01-2022                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State in virtual court  
  
proceeding.

Let the defects, as pointed out by the office, be  
  
removed within four weeks of start of normal functioning of the  
  
physical court.

Petitioner seeks bail in connection with Bidupur P.S.  
  
Case No. 367 of 2019 registered for the offences punishable  
  
under Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that  
  
petitioner is not named in the FIR and he has falsely been  
  
implicated in the present case. It is further submitted that name  
  
of the petitioner has been transpired on the basis of self



confessional statement of the petitioner. He further submits that till today no T.I. parade has been conducted by the police and the police after investigation submitted charge sheet against the petitioner. Petitioner is in custody since 06.05.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail submitting that petitioner carries criminal antecedent of twelve cases of similar nature.

Considering the aforesaid facts and circumstances as well as period of custody, 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 367 of 2019, subject to 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 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)**

shahzad/-

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