

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55973 of 2021

Arising Out of PS. Case No.-619 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Kunal Kumar Son Of Pradip Ray Resident Of Village - Semara, P.S.-
Sonepur, Dist. - Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Hajipur
Sadar P. S. Case No.619 of 2019, instituted for the offences
under Section 394 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 18.01.2021, charge-sheet has been
submitted in the case and has antecedent of 14 cases.

The learned counsel for the petitioner, at the outset,
submits that the petitioner was arrested in Bidupur P. S. Case
No.368 of 2019 on 18.01.2021 and after being arrested in the
said case, the petitioner was made to confess his participation in
the crime in all the 14 cases, which is mentioned at Para-3 of the
bail application. The learned counsel submits that the petitioner



was made to confess his participation in the present occurrence also while in custody in Bidupur P. S. Case No.368 of 2019 and thereafter, he was remanded in this case on 18.01.2021.

The learned counsel for the petitioner submits that the allegation is of looting the informant of Rs.5,00,000/- along with motorcycle and other articles and cash as detailed in the F.I.R. by three unknown criminals. On protest by the informant, the accused fired injuring him and accordingly, the informant was taken to hospital from where he was referred to P.M.C.H. for better treatment.

The learned counsel for the petitioner submits that the F.I.R. is against unknown and the petitioner was arrested in Bidupur P. S. Case No.368 of 2019 when he was made to confess his participation in the present case also along with 14 other cases which were against unknown, as such, the learned counsel for the petitioner submits that the petitioner in one place made accused in 14 pending cases. The learned counsel submits that since the petitioner was in custody. It was the duty of the police to get his Test Identification Parade done, but he was never put on T. I. Parade, nor any recovery of looted articles was made from his possession.

The learned A.P.P. for the State opposes the bail



application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case and taking into consideration the submission made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case No.619 of 2019, subject to condition that one of the bailors shall be the father of the petitioner namely, Pradip Ray and the petitioner shall be released after framing of charge.

The application stands allowed.

(Satyavrat Verma, J)

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