

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54119 of 2022

Arising Out of PS. Case No.-472 Year-2020 Thana- MINAPUR District- Muzaffarpur

Krishna Murari Kumar @ KRISHN MURARI KUMAR Son of Laxmi
Narayan Rai Resident of Village - Chatursee, P.s.- Siwaipatti, Distt.-
Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-12-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within two weeks
from today.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Minapur P.S. Case No. 472 of 2020 registered
for the offences punishable under Section 414/34 of the Indian
Penal Code and Sections 25(1-b)a/26 and 35 of the Arms Act.
He is in custody since 08.12.2021. The petitioner has got three
criminal antecedent.

As per the prosecution story, the informant has
alleged that while he was on patrolling duty along with othe
rpolice personnel he got secret information that near Rahai



Bridge in taudy shop 5-6 persons like miscreants have been seen. When the informant reached there all the accused persons started fleeing away but three accused persons were arrested and three persons on a Pulsar Motorcycle fled away towards Domaha Chowk. Arrested persons disclosed their names as Santanu Kumar Singh, Ratan Kumar Singh and Mithun Kumar and the persons who were fled away were Shivam Shukla, Subhas Kumar and Krishna Murari Kumar (petitioner).

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that petitioner has not been arrested on the spot.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein this petitioner has not been arrested on the spot, there is no recovery and his implication is on the basis of the statement of the apprehended person, he has remained in custody since 08.12.2021, investigation against him is complete and at this stage there is no submission that his release is likely to result in tampering with the evidence or interfering with the



course of trial or that his presence cannot be secured in course of trial said, therefore, this Court directs release of the petitioner above-named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Sandeep Kumar Singh, learned J.M. 1st Class, Muzaffarpur in connection with Minapur P.S. Case No. 472 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

vats/-

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