

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67278 of 2022

Arising Out of PS. Case No.-407 Year-2021 Thana- KANKARBAG District- Patna

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KUNDAN KUMAR Son of Raj Kishor Prasad @ Raj Kishor Paswan R/V-
Korsha Kanta, P.S- Korsha Kanta, Dist- Araria. At present Chiraiyatar, Gali
No. 2, P.S- Kankarbagh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-12-2022

Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case under sections 401, 461, 361, 379, 511 and 427 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, it is stated by the informant that in course of patrolling five accused persons including the petitioner herein were caught while one managed to escape. On making inquiries it transpired that the shutter of the ATM had been pulled down while accused Kundan Kumar was cutting the ATM machine with gas cutter. All were arrested and the gas cutter recovered.

The earlier application for bail of the petitioner was



rejected vide order dated 19.04.2022 (Annexure-1) passed in Cr. Misc. no. 57292 of 2021. The petitioner has remained in custody since 18.4.2021.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the petitioner having remained in custody for 1 year 7 months, the Court directs the petitioner to be enlarged on bail in connection with Kankarbagh P.S. Case no. 407 of 2021 (G.R.No.3081 of 2021) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.1st Class, Patna.

(Partha Sarthy, J)

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