

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3025 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- RAJGIR District- Nalanda

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KUNDAN KUMAR SON OF BHOLA RAM R/O VILLAGE- PAHARPUR,
P.S.- BIHAR, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Rajgir
P.S. Case No. 398 of 2022 registered for the offence under
Sections 392 of the IPC.

The informant is alleged to have been robbed by four
persons at the point of pistol.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He further submits that
the petitioner is innocent and has falsely been implicated in this
case merely on the basis of suspicion and the self-confessional
statement of the petitioner. He further submits that the petitioner
is not named in the FIR and his name has been transpired in the
investigation on the self-confessional statement of the petitioner.



He further submits that the seized motorcycles belong to his elder brother namely Chandan Kumar and the recovered money belong to the petitioner and the police has falsely been implicated him in the present case. He further contends that till date no T.I.P. is made by the prosecution. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 26.7.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Chief Judicial Magistrate, Nalanda in connection with Rajgir P.S. Case No. 398 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

Ajay Singh/-

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