

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9438 of 2023

Arising Out of PS. Case No.-355 Year-2022 Thana- MANIYARI District- Muzaffarpur

Kundan Kumar Son Of Baidnath Sah @ Baijnath Sah R/V- Muraul, Ward No. 10, P.S.- Maniyari, P.O.- Basauli, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, A.P.P

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Maniyari P.S. Case No. 355 of 2022 dated 31.10.2022 registered for the offence punishable u/s 414 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, three miscreants boarded on a motorcycle started fleeing away but one miscreant was apprehended by the police. On being asked, the apprehended person disclosed his name as the petitioner Kundan Kumar and



also disclosed the names of the co-accused persons as Manish Kumar and Abhinandan Sah who fled away. On search, a loaded country-made pistol and a motorcycle were recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.11.2022.

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur (West) in connection with Maniyari P.S. Case No. 355 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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