

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13261 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- KAMTAUL District- Darbhanga

Kishun Kumar, Son of Madan Sah, Resident of Village- Budhnagar, P.S.-
Nanpur, District- Sitamarhi.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.
For the State : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 15-05-2023 The applicant/accused in Crime No.286 of 2022 registered with Police Station-Kamtaul for the offences punishable under Section 414 of the Indian Penal Code as well as under Sections 25 (1-b) a, 26 and 35 of the Arms Act, by this application is seeking his release on bail during the pendency of the trial.

Heard both sides.

On 22.11.2022, on the basis of secret information, the police had apprehended applicant Kishun Kumar and co-accused Bikram Kumar while proceeding on the motorcycle without having number plate. From possession of the applicant, one live cartridge and one mobile phone came to be seized whereas from the possession of Bikram Kumar, Desi Katta with one live cartridge came to be recovered. The said Bikram



Kumar is reported to have been released on bail by the coordinate Bench of this Court. The applicant is reportedly not having any criminal antecedent. The investigation qua the present applicant is over. Hence, further pretrial detention of the applicant is not warranted. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.286 of 2022 registered with Police Station-Kamtaul for the offences punishable under Section 414 of the Indian Penal Code as well as under Sections 25 (1-b) a, 26 and 35 of the Arms Act, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) and on furnishing two sureties of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not contact the members of



the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(A. M. Badar, J)

Bhardwaj/-P.S.

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