

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33586 of 2022**

Arising Out of PS. Case No.-175 Year-2021 Thana- NALANDA District- Nalanda

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KUNDAN KUMAR @ MANTRI JEE S/o Umesh Prasad @ Bholi Yadav
Resident of Village- Milki Par, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 394 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the son of the informant was returning, unknown accused persons shot at him 2-3 times causing gunshot injuries as a result of which he died.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. In course of investigation, one Ajeet Kumar was arrested in one another case and on the basis of his confessional statement, the petitioner was falsely implicated in the case. The said Ajeet Kumar has been enlarged on bail vide order dated 23.8.2022 passed in Cr. Misc. no.24203 of 2022. There is no other material that has transpired



in course of investigation to connect the petitioner with the alleged crime. The petitioner is in custody since 26.11.2021.

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

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, grant of bail to co-accused Ajeet Kumar on whose confessional statement before the police the name of the petitioner transpired, the petitioner being in custody for more than a year since 26.11.2021 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Nalanda P.S. Case no.175 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 Chief Judicial Magistrate, Biharsharif, Nalanda.

(Partha Sarthy, J)

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