

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38057 of 2023

Arising Out of PS. Case No.-104 Year-2021 Thana- ATHMALGOLA District- Patna

KUNAL KUMAR SON OF YOGENDRA RAY RESIDENT OF VILLAGE
NAYATOLA RAGHOPUR, P.S. BAKHTIYARPUR, DISTT. PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2023 Heard the parties.

The petitioner is in judicial custody in connection with S. Tr. No.738 of 2021 arising out of Athmalgola P.S. Case No.104/2021 instituted under Sections 392 of the Indian Penal Code lodged on 31.05.2021 by the informant, Amarjeet Kumar.

The allegation in the FIR is that the informant is the Manager of the Bandhan Bank. He has alleged in the FIR that the employee of the Bank namely Srikant Kumar was out for the collection of the money and at 11:00 O'clock he informed the Manager that the money has been snatched by the accused persons along with the Tab, Register, Calculator etc.

Earlier prayer for bail of the petitioner was rejected vide order dated 27.07.2022 passed in Cr. Misc. No. 18162 of 2022.



Taking into account the fact that the petitioner has remained in custody for almost two years since 06.07.2021 (as stated in paragraph-10 of the bail petition), this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge -V, Barh in connection with S.Tr. No. 738 of 2021 (arising out of Athmalgola P.S. Case No. 104 of 2021), subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/Kiran-

U		T	
---	--	---	--

