

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38988 of 2023

Arising Out of PS. Case No.-90 Year-2022 Thana- MOKAMA RAIL P.S. District- Patna

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Kundan Kumar S/O Ramnath Ray R/O Nayatola Bariyarpur, P.S-
Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-07-2023 Let the defect(s), if any, be removed within two weeks

from today.

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

3. The petitioner seeks regular bail in connection with
Sessions Trial No. 1533 of 2022 arising out of Rail Bakhtiyarpur
P.S. Case No. 90 of 2022 lodged under Sections 399 & 402 of
the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against 2 named accused persons excluding the present
petitioner.

5. Learned counsel for the petitioner submits that
petitioner's name has been figured in this case by virtue of
confessional statement of co-accused. Counsel submits that on
the confessional statement of Chhotu (co-accused), the

petitioner was arrested and a flexible knife has been recovered from his possession which is transpired from the seizure list.

6. Counsel further submits that the said Chhotu, who has disclosed the name of the petitioner, as well as another accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 21.06.2023 in Cr. Misc. No. 32859 of 2023 and dated 13.06.2023 in Cr. Misc. No. 29947 of 2023.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-XIII, Patna in connection with Sessions Trial No. 1533 of 2022 arising out of Rail Bakhtiyarpur P.S. Case No. 90 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

9. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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