

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61429 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

KUNDAN KUMAR @ KANDAN KUMAR, Son of Late Wakil Rai R/o vill -
Madhopur Hazari, P.S. - Sahebganj, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-09-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Baikunthpur P.S. Case No. 186 of 2022 dated 06.07.2022 registered for the offences punishable u/s 392 of the Indian Penal Code.

4. As per the prosecution case, three unknown miscreants boarded on two motorcycles came at the shop of the informant and looted Rs. 1,24,400/- in cash kept in the counter, Laptop and mobile phone on the point of pistol. Thereafter, they fled away from the spot.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused persons, Niranjana Kumar and Prabhat Kumar. Nothing has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted by the prosecution. The petitioner is accused in three cases as stated in para 3 of the bail petition. The petitioner is in custody since 06.05.2023.

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

7. 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, Gopalganj in connection with Baikunthpur P.S. Case No. 186 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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