

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63497 of 2023

Arising Out of PS. Case No.-19 Year-2023 Thana- BANKA District- Banka

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Kundan Kumar @ Kundan Kumar Yadav Son Of Raju Yadav, Village-
Chakkadih, PS- Banka, Dist- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case instituted for the offences under Sections 395, 397 of the Indian Penal Code and Sections 25(1-B)a/26/27/35 of the Arms Act.

3. The prosecution case, in short, is that five unknown miscreants committed loot of the bag of the informant containing cash Rs.1,50,000/- on gun point.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.05.2023. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has transpired in this case on the



confessional statement of co-accused. No incriminating article is said to have been recovered from the possession of the petitioner. No T.I.P. has been conducted to ascertain the participation of the petitioner in the alleged occurrence.

5. On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below/concerned Court in connection with Banka P.S. case No.19/2023.

(Sudhir Singh, J)

Narendra/-

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