

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67626 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- DHAMDAHA District- Purnia

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Sri Kundan Kumar @ Kundan Kumar Son Of Late Narayan Pd. Yadav @
Narayan Prasad Yadav Resident Of Village Madhubani Santagar @ Shanti
Nagar, Madhubani Top, Ps- K.Hat (MADHUBANI), Dist- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ugranath Mallik

For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 147, 148, 149, 341,
323, 427, 386, 504, 506 and 307 of the IPC and Section 27 of
the Arms Act.

3. As per prosecution case, the petitioner along with
others assembled with their common object of all having deadly
weapons in which co-accused Sahil Saurav had brought a gun
with its license. It is further alleged that the informant's mother
called the informant from his office and when the informant
reached near his house he saw that the accused persons
including petitioner forcibly enclosing his land with tin made
tatti and they were assaulted the informant family member and
also damaged the vehicle of the informant.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to land dispute. He has committed no offence. There is general and omnibus allegation against the petitioner and no specific overt act of assaulting against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. On the basis of suspicion, he has been implicated in the present case by the police. He is languishing in judicial custody since 02.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Purnea in connection with Dhamdaha P.S. Case No. 167 of 2023.

(Sunil Kumar Panwar, J)

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