

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.460 of 2022

Arising Out of PS. Case No.-692 Year-2019 Thana- SONEPUR District- Saran

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KUNAL KUMAR @ KUNDAN Son of Pradip Ray Resident of Village -
Semara, P.S.- Sonepur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Sonepur P.S. Case no. 692 of 2019, registered for the

offences punishable under Section 392 of the Indian Penal

Code.

As per allegation, the petitioner along with his

associates looted a cash of Rs. 5,07,800/- (Five Lakh Seven

Thousand Eight Hundred Only) kept in a bag from the

informant, on the point of pistol.

Ld. counsel for the petitioner submits that the

petitioner is innocent and has falsely been implicated in this



case. He further submits that the petitioner is not named in the FIR and no recovery has been made from him. He also submits that no TIP has been conducted till date and investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 01.03.2021.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in ten other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. CJM, Saran at Chapra in



connection with Sonapur P.S. Case no. 692 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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