

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.66301 of 2023**

Arising Out of PS. Case No.-748 Year-2022 Thana- HARNAUT District- Nalanda

Kundan Kumar S/O Late Nandlal Yadav R/O Village Narsanda, P.S. Chandi,  
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App.100)

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN  
ORAL ORDER**

2      16-10-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
S.T. No.519 of 2023, arising out of Harnaut P.S. Case No. 748  
of 2022, lodged on 29.12.2022 under Section 394 of the I.P.C.

3. As per the prosecution case, the FIR has been  
lodged against four unknown accused persons having allegation  
of looting four wheeler vehicle.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. Counsel  
submits that FIR has been lodged against four unknown  
accused persons. The name of the petitioner has figured by  
virtue of confessional statement of co-accused. Counsel further  
submits that charge sheet has been filed in this case. The



petitioner is in custody since 14.02.2023 and other co-accused has been granted bail by a coordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No.41892 of 2023.

5. Learned counsel for the State opposes the prayer for bail and submits that there are two criminal cases pending against the petitioner and in the rejection order it has come that the informant's Desire car has been recovered on the information disclosed by the petitioner.

6. Upon going through the bail order it is not clear that whether those co-accused persons have been granted bail have criminal antecedents or not but here in the present case there are two criminal antecedents against the petitioner.

7. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is rejected with liberty that he may renew his prayer for bail after framing of the charges.

**(Dr. Anshuman, J)**

Mkr./-

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