

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69408 of 2022

Arising Out of PS. Case No.-114 Year-2022 Thana- WARISLIGANJ District- Nawada

KUNDAN KUMAR S/o Sunil Das @ Sunil Pandit R/o Mohalla- Sangatpur,
Uttar Bazar, P.S.- Warisaliganj, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Warisaliganj P.S. Case No. 114 of 2022, registered for the offence punishable under Section 414/34 of the Indian Penal Code.

As per the prosecution, the police personnel while vehicle checking apprehended two persons namely, Kaushal Kumar and Rupesh Kumar who, disclosed the name of this petitioner to be involved in the offence of stealing motorcycles.

The main submissions advanced by petitioner's



counsel are that when the alleged motorcycle was recovered the petitioner was not present at the place of recovery and petitioner's name surfaced in the statement of co-accused, Kaushal Kumar who was apprehended at the spot and no case under Section 414 of IPC is made out against the petitioner and the co-accused persons have been released on bail by the court below itself, so far as the criminal antecedent of the petitioner is concerned one case of his antecedent was lodged under Excise Act in which the petitioner was made accused merely on the basis of suspicion and no recovery of any wine was made from his possession and other two cases were lodged under the offences of IPC and the petitioner is on bail in all the said cases and he has been languishing in jail since 28.07.2022 in the present matter and the investigation has been completed against him.

Learned APP appearing for the State has opposed the prayer for bail.

In view of the facts as stated above, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection



with Warisaliganj P.S. Case No. 114 of 2022.

(Shailendra Singh, J.)

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