

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10219 of 2024

Arising Out of PS. Case No.-111 Year-2023 Thana- BARIYARPUR District- Munger

KUNDAN KUMAR S/o Sri Bhola Singh Resident of Mohalla-Sitarampur,
Nazira, P.S.-Bariarpur, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bariarpur P.S. case No. 111 of 2023 instituted for the offences
under Sections 341, 323, 324, 325, 307, 504, 506/34 of the
Indian Penal Code.

3. Prosecution allegation, in short, is that FIR named
accused person brutally assaulted the brother of the informant
by means of iron rod with intention to kill him.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case due to
village politics. Petitioner is not named in the FIR and there is
no specific allegation of assault against this petitioner, however,



the name of the petitioner came into light during the investigation. The specific allegation of assault is attributed against co-accused Lalu Kumar. There is no eye-witness to the occurrence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.11.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no specific allegation and clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Bariarpur P.S. case No. 111 of 2023.

(Rudra Prakash Mishra, J)

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