

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28182 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- BARAUNI District- Begusarai

Kunal Kumar son of Gopal Rai Village- Baro Rampur Tola W.No-15, Ps-
Barauni Garhara Op Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Suruchi Anand, Advocate
: Ms.Nidhi Anand, Advocate
: Mr.Balwant Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barauni
P.S. case No. 70 of 2024 instituted for the offences under
Sections 147, 148, 149, 353, 332, 323, 307 of the Indian Penal
Code and Sections 25(1-b)a, 26, 27, 35 of the Arms Act .

3. Prosecution case, in short, is that police got secret
information that some accused persons where planning to
commit crime. On this information, police raided the house of
Nilesh Kumar where two other accused persons namely Rahul
Kumar and Balram Kumar were also present. Seeing the police
party, the accused persons started firing but somehow police



managed to caught two of them. The apprehended persons disclosed the names of other accused persons including this petitioner. Thereafter, the police recovered one country-made pistol and six live cartridges from this petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. She further submitted that allegation of firing is against Nilesh Kumar, Rahul Kumar and Balram Kumar and so far as this petitioner is concerned, there is no specific overt act is levelled against him. She further submitted that seized arms and ammunitions belong to co-accused Nilesh Kumar and the same were given to the petitioner by him. It is further submitted that It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.02.2024 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 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 Barauni P.S. case No. 70 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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